

with certainty only 19 techniques listed in the field manual will be used, they will train to resist them, and the net result will be we will not get any more intelligence.

The bill I am introducing does not have that flaw. Rather than authorizing intelligence agencies to use only those techniques that are allowed in the Army Field Manual—the AFM—I believe the better approach, if any change needs to be made to current law, is to preclude the use of specific techniques that are prohibited under the AFM. Specifically, the bill says you cannot use interrogation techniques; No. 1, forcing the individual to be naked, to perform sexual acts or pose in a sexual manner; No. 2, placing hoods or sacks over the heads of individuals or using duct tape over the individual's eyes; No. 3, applying beatings, electric shock, burns or similar forms of physical pain; No. 4, using the technique known as waterboarding; No. 5, using military working dogs; No. 6, inducing hypothermia or heat injury; No. 7, conducting mock executions; or, No. 8, depriving the individuals of adequate food, water, or medical care.

Now, these list the kinds of techniques that are generally described as torture. Let me assure you there are many techniques which are similar in degree of duress to those permitted in the Army Field Manual. The reason to be able to use others is because the most important part of any interrogation technique is the unknown. When the detainee does not know what techniques are permitted, then the detainee does not know what to expect. Under those circumstances, even though the techniques are no more harsh, no more painful than Army Field Manual techniques, there is a much greater chance a skilled interrogator will get that information.

I believe in this way Congress can state clearly that harsh interrogation techniques will not be permissible without advertising the techniques that are permissible. The Intelligence Committee will be briefed on any techniques that are considered for use and have the opportunity to object to anything we believe should not be permissible. This new approach allows for the possibility that new techniques that are not explicitly authorized in the Army Field Manual but which comply with law may be developed in the future.

I invite my colleagues to join me in supporting this legislation. This legislation establishes an important principle, and I hope we can adopt this legislation.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 22. Mr. REID (for Mr. NELSON, of Florida) proposed an amendment to the resolution S. Res. 13, congratulating the University of Florida football team for winning the 2008 Bowl Championship Series (BCS) national championship.

#### TEXT OF AMENDMENTS

SA 22. Mr. REID (for Mr. NELSON, OF FLORIDA) proposed an amendment to the resolution S. Res. 13, congratulating the University of Florida football team for winning the 2008 Bowl Championship Series (BCS) national championship; as follows:

On page 3, strike lines 11 through 18 and insert the following:

(A) President of the University of Florida, J. Bernard Machen;

(B) Athletic Director of the University of Florida, Jeremy N. Foley; and

(C) Head Coach of the University of Florida football team, Urban Meyer.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Wednesday, January 14, 2009, at 10 a.m. in room G50 of the Dirksen Senate Office Building to consider the nomination of Gov. Thomas J. Vilsack, of Iowa, to be Secretary of Agriculture.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a hearing during the session of the Senate on Wednesday, January 14, 2009, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Wednesday, January 14, 2009, at 10 a.m. in room 406 of the Dirksen Senate Office Building to hold a hearing on the nominations of Lisa P. Jackson to be Administrator of the U.S. Environmental Protection Agency and Nancy Helen Sutley to be Chairman of the Council on Environmental Quality.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Wednesday, January 14, 2009, at 2 p.m. to consider the nomination of Peter R. Orszag to be Director, Office of Management and Budget.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON VETERANS' AFFAIRS

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Com-

mittee on Veterans' Affairs be authorized to meet during the session of the Senate on Wednesday, January 14, 2009, at 10 a.m. to conduct a hearing on the nomination of General Eric Shinseki to be Secretary of the Department of Veterans Affairs. The committee will meet in room 106 of the Dirksen Senate Office Building beginning at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PRIVILEGES OF THE FLOOR

Mr. INHOFE. I ask unanimous consent that Ryan Levesque be granted the privileges of the floor for the duration of my time.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CONGRATULATING THE UNIVERSITY OF FLORIDA FOOTBALL TEAM

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 13 and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 13) congratulating the University of Florida football team for winning the 2008 Bowl Championship Series (BCS) national championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that a Nelson of Florida amendment, which is at the desk, be agreed to, the resolution, as amended, be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statement relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 22) was agreed to, as follows:

On page 3, strike lines 11 through 18 and insert the following:

(A) President of the University of Florida, J. Bernard Machen;

(B) Athletic Director of the University of Florida, Jeremy N. Foley; and

(C) Head Coach of the University of Florida football team, Urban Meyer.

The resolution (S. Res. 13), as amended, was agreed to.

The preamble was agreed to.

The resolution, as amended, with its preamble, reads as follows:

#### S. RES. 13

Whereas on January 8, 2009, before a crowd of more than 78,000 fans in Miami, Florida, the University of Florida Gators won the 2008 Bowl Championship Series (BCS) national title with a stunning 24-14 triumph over the University of Oklahoma Sooners;

Whereas the University of Florida is one of the premier academic institutions in the State of Florida;

Whereas the University of Florida Gators captured the Southeastern Conference championship title on December 6, 2008;

Whereas University of Florida football Head Coach Urban Meyer has won two BCS national championship games in the past 3 years;

Whereas University of Florida quarterback Tim Tebow was named the Most Outstanding Player of the BCS national title;

Whereas Tim Tebow won the Maxwell Award for the second time in 2 years;

Whereas the University of Florida defense held the University of Oklahoma to only 363 yards of offense in the BCS championship game;

Whereas the Gators finished 2008 ranked first in the Associated Press Poll and first in the Coaches Poll;

Whereas the Gators finished the 2008 season with a record of 13-1;

Whereas the University of Florida student athletes are among the most talented in the Nation;

Whereas University of Florida fans worldwide supported and encouraged the Gators throughout the football season;

Whereas University of Florida President J. Bernard Machen and Athletic Director Jeremy N. Foley have shown great leadership in bringing success and glory to the University of Florida; and

Whereas the University of Florida students, faculty, alumni, and all Gator fans are deeply committed to bringing pride to the University of Florida and the entire State of Florida: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the University of Florida Gators for winning the 2008 Bowl Championship Series (BCS) national championship;

(2) recognizes the achievements of the players, coaches, students, and staff whose hard work and dedication helped the University of Florida Gators win the championship; and

(3) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) President of the University of Florida, J. Bernard Machen;

(B) Athletic Director of the University of Florida, Jeremy N. Foley; and

(C) Head Coach of the University of Florida football team, Urban Meyer.

ORDERS FOR THURSDAY,  
JANUARY 15, 2009

Mr. REID. Mr. President, I ask unanimous consent that when the Senate

completes its business today, it stand adjourned until Thursday, January 15, at 10 a.m.; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then be in a period for the transaction of morning business until 12 noon; that following morning business, the Senate resume consideration of S. 22, the lands bill; and that any time during any adjournment or morning business count against cloture. During the time we are in morning business tomorrow, I ask unanimous consent that Senator Biden, the new Vice President, be permitted to speak at 10 o'clock in the morning and that at 11 o'clock, the new Secretary of State be permitted to speak.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, Senator SALAZAR is also going to be a member of the new Cabinet, and we will work out a time for him tomorrow to speak. Under the agreement, we have a vote at noon, so we will see how long the other speeches are. Maybe he can do his before noon; otherwise, we will work out a time tomorrow when he can speak.

Also, tomorrow Roland Burris is going to take the oath of office and become a U.S. Senator. That will be at 2 o'clock.

ADJOURNMENT UNTIL 10 A.M.  
TOMORROW

Mr. REID. Mr. President, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 8:35 p.m., adjourned until Thursday, January 15, 2009, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be brigadier general*

COL. MICHAEL W. MILLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be brigadier general*

COL. JAMES J. CARROLL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be brigadier general*

COL. BART O. IDDINS

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be major general*

BRIGADIER GENERAL PETER M. AYLWARD  
BRIGADIER GENERAL GRANT L. HAYDEN  
BRIGADIER GENERAL DAVID L. JENNETTE, JR.  
BRIGADIER GENERAL ROBERT E. LIVINGSTON, JR.  
BRIGADIER GENERAL WILLIAM M. MALOAN  
BRIGADIER GENERAL RANDY E. MANNER  
BRIGADIER GENERAL RANDALL R. MARCHI  
BRIGADIER GENERAL STUART C. PIKE  
BRIGADIER GENERAL EDDY M. SPURGIN  
BRIGADIER GENERAL CHARLES L. YRIARTE

*To be brigadier general*

COLONEL DENNIS J. ADAMS  
COLONEL ROBBIE L. ASHER  
COLONEL CHRISTOPHER D. BISHOP  
COLONEL GLENN A. BRAMHALL  
COLONEL DOMINIC A. CARIELLO  
COLONEL ROBERT C. CLOUSE, JR.  
COLONEL ROBERT W. ENZENAUER  
COLONEL PETER J. FAGAN  
COLONEL JACK R. FOX  
COLONEL WILTON S. GORSKE  
COLONEL LOUIS H. GUERNSEY, JR.  
COLONEL STEPHEN L. HUXTABLE  
COLONEL TIMOTHY J. KADAVY  
COLONEL JAMES E. KEIGHLEY  
COLONEL GERALD W. KETCHUM  
COLONEL LEONARD H. KISER  
COLONEL TIMOTHY L. LAKE  
COLONEL GREGORY A. LASK  
COLONEL DAVID V. MATAKAS  
COLONEL WILLIAM R. MONCONDUIT  
COLONEL TIMOTHY E. ORR  
COLONEL GREGORY P. PHILLIPS II  
COLONEL RENALDO RIVERA  
COLONEL KENNETH C. ROBERTS  
COLONEL STEPHEN G. SANDERS  
COLONEL WILLIAM L. SMITH  
COLONEL MICHAEL A. STONE  
COLONEL SCOTT L. THOELE  
COLONEL ROBERT L. TUCKER, JR.  
COLONEL CHARLES R. VEIT  
COLONEL ROY S. WEBB  
COLONEL MICHAEL T. WHITE