

and ideas of both parties. So far, with very few exceptions, the President seems all too willing to keep his own counsel and that of his fellow Democrats on how to address these issues. This is not the type of government he promised on the campaign trail and, quite frankly, I think it has led to policy results that, at best, have to be considered questionable.

Going forward, I hope that, instead of cursory gestures and empty statements encouraging bipartisanship, President Obama makes a real effort to listen to and accept ideas from both sides of the aisle. That will take real courage and leadership and, thus far, I don't know that he has demonstrated much of either.

#### FREE MEDIA IN THE OSCE REGION

Mr. CARDIN. Mr. President, earlier this month we marked World Press Freedom Day, a timely opportunity to draw attention to the plight of journalists and others involved in the press and media in the OSCE—Organization for Security and Co-operation in Europe—region. While all 56 OSCE countries have accepted specific commitments on media and working conditions for journalists, the difficulty remains translating words on paper into deeds in practice. Today, many courageous journalists are working under tremendously difficult conditions, often at great personal risk, with some paying the ultimate price for their journalistic pursuits.

According to the U.S.-based Committee to Protect Journalists, CPJ, nearly a dozen journalists and their colleagues have been killed in the OSCE region since last year's observance. Among those slain in Russia were Anastasiya Baburova, of *Novaya Gazeta*; Shafiq Amrakhov, of *RIA 51*; Telman Alishaya, of *TV-Chirkei*; and Magomed Yevloyev, owner of the popular Web site *Ingushetiya*, who was killed while in police custody. Scores of journalists have been murdered in Russia alone since the early 1990s.

Others slain over the past 12 months included Ivo Pukanic and Niko Franjic, both of *Nacional*, in Croatia; and freelance journalists Alexander Klimchuk and Grigol Chikhladze, with *Caucasus Images*, as well as Dutch RL/TV veteran cameraman Stan Storimans, killed in the conflict zone during the war in Georgia last August. Besides war correspondents, victims often include investigative journalists covering politics, corruption, and human rights.

We are approaching the fifth anniversary of the slaying of American journalist Paul Klebnikov in Moscow. I call upon the Russian authorities to bring to justice all of those responsible in any way for his murder.

As chairman of the Helsinki Commission, I note the vital work undertaken by the OSCE Representative on Freedom of the Media, Miklos Haraszti, a tireless advocate for freedom of expres-

sion and the courageous journalists who pursue their profession, sometimes at great personal risk. The reports of the OSCE Representative on Freedom of the Media are available at: <http://www.osce.org/fom/>. Freedom of expression, free media, and information has been selected as a special focus topic for the OSCE's annual Human Dimension Implementation Meeting, scheduled to be held in Warsaw, Poland, this fall.

#### NOMINATION OF DAVID HAYES

Mr. INHOFE. Mr. President, I would like to speak on the nomination of David Hayes to be Deputy Secretary of the Interior. The Department of Interior has made some key decisions in the past few months that I think warrant special attention and discussion before we vote on this nominee. I also want to note that several issues surrounding this nominee fall under the jurisdiction of the Environment and Public Works Committee, on which I serve as ranking member. As Deputy Secretary at the Department of Interior, Mr. Hayes would oversee the implementation of the Endangered Species Act, a law that the EPW Committee oversees.

As chairman of the EPW Committee for 4 years, and now in my third year as ranking member, I have worked a considerable amount with the Department of Interior, specifically the Fish and Wildlife Service, and its implementation of the Endangered Species Act. As ranking member, one of my roles is to exercise rigid oversight of executive branch actions under EPW jurisdiction. In the past, I have seen many good things come from the Department of Interior, such as the Partners for Fish and Wildlife Program, which conserves habitat by leveraging Federal funds through voluntary private landowner participation, as well as the delisting of the Bald Eagle, showing what good the ESA can accomplish. However, recent actions to reverse rules related to ESA have bothered me.

Through my role as ranking member on the EPW Committee, I have become concerned with the possibility of the ESA being used as a backdoor for greenhouse gas regulation following the listing of the polar bear as a threatened species. In April, I joined other Senators in a letter to Commerce Secretary Locke urging him not to reverse regulations preventing the Endangered Species Act from regulating carbon dioxide. Now as we move to debate the David Hayes nomination this week, we must again carefully consider the motives of this administration in using the Endangered Species Act. ESA should be used as a tool for protecting truly threatened and endangered species, not for controlling the emissions of greenhouse gases from potentially every source, big or small, in America.

Two weeks ago, I voted for Tom Strickland to become the new Assistant Secretary for Fish, Wildlife, and

Parks, after he was reported out of our committee. As with David Hayes, I took issue with the nomination of Assistant Secretary Strickland, raising questions concerning the administration's decision to reverse rules on the listing of the polar bear and modifications to the section 7 consultation process. Thankfully, just last week, Assistant Secretary Strickland and Secretary Salazar upheld the polar bear rule. While the decision by Interior to retain this rule shows good judgment by this administration, potential lawsuits by radical environmental groups still threaten to undermine the original intent of the Endangered Species Act.

What is most troublesome, however, is the decision by Interior to overturn the section 7 consultation rule in complete disregard of the Administrative Procedures Act. That is in direct contrast to President Obama's commitment to transparency and public process. Moreover, revoking this rule forces Federal agencies to consult with the Fish and Wildlife Service for each new Federal action that may result in the emission of greenhouse gases. Under the ESA, a Federal action agency is required to initiate consultation with the Fish and Wildlife Service or the National Marine Fisheries Service if it determines that the effects of its action are anticipated to result in the "take"—including potential harm—of any listed species, or the destruction or adverse modification of designated critical habitat. This includes actions the agency takes itself, actions that are federally funded, as well as the issuance of a Federal permit or license for a private party.

The final rule as published last December exempted from consultation actions which are "manifested through global processes and (i) cannot be reliably predicted or measured at the scale of a listed species' current range, or (ii) would result at most in an extremely small, insignificant impact on a listed species or critical habitat, or (iii) are such that the potential risk of harm to a listed species or critical habitat is remote." Unfortunately, after Interior's recent decision to reverse this rule, Federal agencies are again subjected to consulting Fish and Wildlife Services in these areas. This is a very costly process, which would cover any number of highway and construction projects, including, among others, those under the jurisdiction of the Army Corps of Engineers.

Senator MURKOWSKI, the ranking member of the Senate Energy Committee, has made her position very clear on Mr. Hayes by placing a hold on his nomination until her questions to Secretary Salazar are fully answered. The Department, and environmental groups, could manipulate the Endangered Species Act and the polar bear listing for purposes never intended by Congress. Moreover, repealing regulations without public hearings or public comment is a bad way to start an administration, as it signals to the public

that its views on important regulatory matters are irrelevant. It is my hope that Mr. Hayes will fully explain his position on these important issues, and that the Department of Interior will practice openness and transparency, as President Obama has promised, by including the views of stakeholders and the public when it makes decisions.

#### TRIBUTE TO KENT WELLS

Mr. ROBERTS. Mr. President, I rise today to offer a special tribute to Kent Wells, a Kansan and longtime friend, who has turned his own battle with multiple myeloma into a fight for continued research to benefit the Multiple Myeloma Research Foundation, MMRF.

Multiple myeloma is an incurable cancer of the plasma cell. It is the second most common blood cancer. There are approximately 50,000 people in the United States living with multiple myeloma and an estimated 15,000 new cases of the disease are diagnosed each year.

The Multiple Myeloma Research Foundation, which was established in 1998 as a nonprofit organization, has a unique mission to urgently and aggressively invest in research that will result in the development of effective treatments and, ultimately, a cure.

Today, MMRF has raised over \$100 million to support the world's most cutting-edge myeloma research. The foundation is widely recognized as the driving force behind progress made against the disease and one of the Nation's most groundbreaking cancer research organizations.

When Kent received his diagnosis in 2007, he began working with the foundation, personally benefiting from the research and the clinical drugs that have been established. But he understands all too well that much more must be done, and Kent has chosen to fight for his own health and for the health of others by further supporting the work of MMRF.

This week, on Kent's behalf, dozens of his friends and colleagues are sponsoring an event that will raise money for the Multiple Myeloma Research Foundation so that it can continue the efforts to develop the necessary research to conquer this disease.

It should come as no surprise to Kent that his friends and colleagues from all walks of life have come together to share this fight with him and his wife Debbie and their sons, Trevor and Bryan.

I first met Kent in 1975. Kent was a young man from Garden City, KS, interning in Washington for my predecessor, Congressman Keith Sebelius. I was the Congressman's chief of staff at that time.

I would like to take a little credit for giving Kent his start in public service, hiring him for that internship. "Potomac Fever" must have bit Kent because after he finished law school at George Washington University, he be-

came a legislative assistant for Senator Nancy Kassebaum. And our friendship continued.

Yes, I admit to omitting one small part of his biography here. Kent did receive his undergraduate degree from the University of Kansas in Lawrence. He is a proud Jayhawk, something that he never lets this Wildcat forget.

Truth be told, I think that Kent would have chosen Jayhawk basketball over Washington internships, but he didn't make the team. Kent, I never told you that we would have welcomed you with open arms to the K-State team. Instead, Kent had to settle for pickup games in Washington when he came to work for Senator Kassebaum.

One of the genuinely nice things about working in Washington is that staff for the Kansas delegation get to know one another and actually become family—not on every occasion or in every instance—but often in sharing a common experience.

I could get into quite a laundry list of mutual experiences I have enjoyed with Kent, his brother Kim, and the Wells family, great supporters and friends. Not to embarrass Kent, but with his smile and personality he could brighten up any room regardless of the occasion. Kent Wells is just one of those people you like to be around, and that genuine personality plus a lot of talent has served him, and those he has worked for, well.

That is, of course, with the exception of the pickup basketball games I mentioned before. It was at a local gym that the Dole, Kassebaum, Roberts staffers and other hangers-on would play Saturday mornings.

My role, given my athletic career had sunset years previous, was to pass the ball to the players like Kent and set blind-side picks. Kent is a slasher but really prefers an outside set shot. Somehow, we ended up on opposing teams.

My team would be composed of big Bill Taggart, who simply walked around the gym for exercise and would occasionally kick the out of bounds ball back; Rich, "The Mule" Armitage—enough said; a couple of pickup players who simply ran with the ball as fast as they could.

Kent and Randy Miller, another staffer and good basketball player, had their own handpicked team that, for the most part, scored at will with absolutely no respect for an elder Member of Congress except to call fouls.

The trash talk would go something like:

"All he does is foul people, stay at one end of the court and try that old flat hook shot."

"I know, but we have to have five people, just stay out of his way or if we get him, tell him to pass you the ball."

You would think one would expect a little more respect, especially since I would bring my young son David to shoot baskets on another court. But not these guys. The Jayhawk crimson and blue was running in their veins and

they pretty much ran me off the court. But I did set some hellish blind side picks, hit 1 out of every 10 flat hook shots, and had great times that are wonderful memories.

Kent's career goes well beyond Capitol Hill. Today he is a successful telecommunications executive, but one of his joys is that he has passed the love of KU basketball to Trevor and Bryan, both of whom proudly sport KU attire on campus at USC and Wisconsin.

Now we have come full circle with the Wells family. Thanks to his Dad's passion for public service, Bryan Wells begins an internship with my office this summer. He is clearly a chip off the old block.

I stand today with all of the Wells family and friends in support of Kent's efforts to promote increased awareness and research for the Multiple Myeloma Foundation. He and others facing this disease are not alone.

Mr. BROWBACK. Mr. President, I would like to take this opportunity and discuss a former resident of my home State of Kansas and a disease that is affecting millions of Americans and honor him today on a special occasion that is occurring to benefit the Multiple Myeloma Research Foundation.

Multiple myeloma is an incurable cancer of the plasma cell. It is the second most common blood cancer. There are approximately 50,000 people in the United States living with multiple myeloma and an estimated 15,000 new cases of the disease diagnosed each year. The 5-year survival rate for multiple myeloma remains only 32 percent.

Multiple Myeloma Research Foundation, MMRF, was established in 1998 as a nonprofit organization with a unique mission to urgently and aggressively invest in research that would result in the development of effective treatments and, ultimately, a cure. Today, MMRF has raised over \$100 million to support the world's most cutting-edge myeloma research. The MMRF is widely recognized as the driving force behind progress made against the disease and one of the Nation's most groundbreaking cancer research organizations.

Guided by an innovative scientific plan, the MMRF supports one of the world's most strategic and aggressive research drug and development portfolios. This diverse portfolio is comprised of cutting-edge programs in three paths—basic science, validation, and clinical trials—that represent the MMRF's research strategy. Taken together, these research programs will accelerate the pace of scientific discovery, rapidly transform scientific progress into lifesaving treatments, and ultimately lead to a faster cure for multiple myeloma.

I ask Congress to continue to look at ways that we can assist the research and health communities to fight this disease and help treat myeloma patients.

I would like to take a few minutes and tell you about a special Kansan