

be discharged from the Committee on Agriculture, Nutrition, and Forestry, and that it be referred to the Committee on Energy and Natural Resources.

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

#### MEASURES READ THE FIRST TIME—S. 1232 AND H.R. 2751

Mr. BEGICH. Mr. President, I understand there are two bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will report the titles of the bills.

The legislative clerk read as follows:

A bill (S. 1232) to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs, and for other purposes.

A bill (H.R. 2751) to accelerate motor fuel savings nationwide and provide incentives to registered owners of high polluting automobiles to replace such automobiles with new fuel efficient and less polluting automobiles.

Mr. BEGICH. Mr. President, I now ask for a second reading en bloc, and I object to my own request en bloc.

The PRESIDING OFFICER. Objection is heard.

The bills will be read for the second time on the next legislative day.

Mr. BEGICH. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BEGICH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### ORDERS FOR THURSDAY, JUNE 11, 2009

Mr. BEGICH. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, June 11; that following the prayer and the 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 that there be a period of morning business until 2 p.m., with Senators permitted to speak for up to 10 minutes each, with the first hour equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the second 30 minutes; that following morning business, the Senate resume consideration of H.R. 1256, the Family Smoking Prevention and Tobacco Control Act, with the time until 2:30 p.m. equally divided and controlled between Senators DODD and ENZI or their designees; that at 2:30 p.m., all postcloture debate time has expired, the Senate proceed to vote on the passage of the bill, with no intervening action or debate.

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

#### PROGRAM

Mr. BEGICH. Mr. President, tomorrow at approximately 2:30 p.m., the Senate will proceed to a rollcall vote on passage of the FDA tobacco legislation.

#### ORDER FOR ADJOURNMENT

Mr. BEGICH. Mr. President, following the remarks of Senator CHAMBLISS, I ask unanimous consent that the Senate adjourn under the previous order.

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

#### RECOGNIZING COACH SUZANNE YOCULAN

Mr. CHAMBLISS. Mr. President, I rise tonight to recognize a very special Georgian. Suzanne Yoculan just retired as the coach of the women's gymnastic program at the University of Georgia.

Coach Yoculan is a graduate of Penn State University, and she was named head coach of the University of Georgia gymnastics team in 1983. The team, under her leadership, has been nothing short of spectacular. During her 26 years at the helm, Georgia's gymnastics team, or the Gym Dogs, as they are affectionately referred to, have posted a meet record of 831 wins, 117 losses, and 7 ties, for a winning percentage of .870—pretty spectacular.

Let me list the accomplishments the Gym Dogs have achieved under the leadership of Coach Yoculan: Four undefeated seasons: 1993, 1998, 1999, and 2006. Her teams have finished in the top three in the Nation 19 out of the last 21 years. They have also been a part of the Super Six, the final six NCAA teams every year since the format was introduced in 1993, and have never missed the NCAA women's gymnastics competition. She was Southeastern Conference Women's Gymnastics Coach of the Year in 1986, 1987, 1999, 2001, 2002, 2004, 2008, and 2009. She was the NCAA Women's Gymnastics Coach of the Year in 1987, 1993, 1998, 2006, and 2008. Under her leadership, the Gym Dogs won 21 regional NCAA titles, and they won 16 Southeastern Conference championships and 10 NCAA women's championships, including in the years 2005, 2006, 2007, 2008, and 2009. Yes, that is right—the last 5 years in a row, under Coach Yoculan's leadership, our Gym Dogs have won the national championship each and every year.

This year, in April, the team competed in the NCAA match at the Bob Devaney Center in Lincoln, NE. After a slow start, Coach Yoculan gathered the team in the locker room, gave them a pep talk, and demanded, as she always does, an awful lot from her lady athletes. And did they ever respond in a very positive way. They came down the

stretch with several different 10s on various platforms and won the national championship for the fifth consecutive time.

Coach Yoculan made this statement after the meet:

It is really a magical team that has so much fortitude and just love for the sport and passion, and they never quit. I feel blessed, and I actually lived it every day being around them, and that is the thing I am going to miss the most.

Well, those of us who are Bulldogs feel blessed to have had Suzanne Yoculan as our gymnastics coach for the last 26 years. We congratulate her on a very successful career, and certainly we wish her the best in wherever life may take her from here.

#### GUANTANAMO BAY

Mr. CHAMBLISS. Mr. President, next I rise to speak about the terrorists being held at Guantanamo Bay naval facility, or Gitmo. There are over 240 terrorists in U.S. custody at the military detention facility in Guantanamo Bay, Cuba, today. Let me describe some of the individuals who reside at Guantanamo.

First, Khalid Shaikh Mohammed, or KSM, is the self-proclaimed and quite unapologetic mastermind of the 9/11 attacks. KSM admitted he was the planner of 9/11 and other planned, but foiled, attacks against the United States. In his combatant status review board, he admitted that he swore allegiance to Osama bin Laden, was a member of al-Qaida, was the military operational commander for all foreign al-Qaida operations, and much more. KSM and four other detainees who are charged with conspiring to commit terrible 9/11 attacks remain at Guantanamo today. In addition, Gitmo houses Abd al-Rahim al-Nashiri, who was responsible for the October 2000 USS Cole bombing which murdered 17 U.S. sailors and injured 37 others. Also residing at Gitmo are Osama bin Laden's personal bodyguards, al-Qaida's terrorist camp trainers, al-Qaida bomb makers, and individuals picked up on the battlefield with weapons trying to kill American soldiers—our young men and women who patriotically serve their country. The detainees at Guantanamo are some of the most senior, hardened, and dangerous al-Qaida figures we have captured.

In May, just 3 weeks ago, the Senate voted 90 to 6 to prohibit any of these hardened terrorists from being brought to the United States. Despite this clear objection, the administration transferred one detainee, Ahmed Ghailani, to New York City yesterday. He is facing charges in the Southern District of New York for his role in the August 7, 1998, bombings of two U.S. Embassies in Africa.

Some of my colleagues in the Senate have touted this as an example of how we can bring criminal charges against the Gitmo detainees and try them in our courts. However, no one has pointed out that Ghailani was indicted on

March 12, 2001, a full 6 months prior to the terrorist attacks of 9/11 and after a full investigation by the Federal Bureau of Investigation. The case against Ghailani was built long before he was transferred to Gitmo in 2006. To imply that other detainees, many of whom the FBI has never investigated or collected evidence against, may similarly be prosecuted in U.S. courts is naive.

The President, in announcing the closing of Guantanamo Bay in January of this year, failed to come forward with a plan to tell the American people what he intended to do with the rest of the remaining prisoners being held in that facility. Americans are outraged about the fact that there is now the potential for those individuals to be transferred to the United States and the possibility that some of them may be released into American society.

The reaction of the administration to the outcry from the American people and to the outcry from Members of this body has been: Well, we are going to work this out. We are going to get people to take these individuals.

Well, needless to say, the previous administration had been trying to get folks to allow the return of their countrymen who are housed at Guantanamo for years, and they were not successful. That is why we still have 241 detainees at Guantanamo.

Yesterday, there was an announcement that 17 Uighurs, or Chinese terrorists, are going to be sent to the country of Palau. I doubt there are many Americans who can even tell you where Palau is. It turns out it is a country containing many islands somewhere out in the Pacific, not far from the Philippines.

In order to get Palau to take these 17 Uighurs, the Obama administration has committed to paying that country \$200 million or, if my calculation is correct, about \$11,764,705 per individual. A pretty good payment for taking these prisoners.

If that is the standard we are going to be using and the precedent we are now setting, you can figure the numbers to look at how much money it is going to cost us to transfer these remaining prisoners to other countries.

Guantanamo is a symbolic issue for many people around the world. I am not one who is going to stand here and say we should not close it. Obviously, there should be some long-range plan to get us out of Guantanamo and to ultimately close it. But without the administration coming forward with a plan, the American people are deservedly outraged at the fact that these individuals may be transferred to criminal facilities in the United States. They, thus, become eligible for all rights of individuals who are housed on U.S. domestic soil, including the right of habeas corpus, and, thus, because not in every case have our soldiers been able to look a guy in the eye who has a rifle in his hand and who is shooting at him, but they are able to disarm him and take the weapon away from

him, they don't have the opportunity to gather evidence on the battlefield and to bag up all that evidence and take the time to write down names of witnesses who saw the activity on the battlefield. So there is the potential that some of these individuals might ultimately be successful in a habeas corpus action, be set free by some judge in a U.S. court and, thus, be eligible to be ingratiated into U.S. society.

A couple weeks ago, I filed a bill in the Senate which prohibits, No. 1, any detainee at Guantanamo from being transferred to the United States. The administration has already breached that, and that is why it is more important than ever we consider this bill.

But more importantly, if the President exercises other powers that he has outside of what may be even enacted into law, constitutional powers he may have, and brings these individuals into the United States, my bill will prohibit any opportunity for any of these individuals who are now housed at Guantanamo from ever being released into the society of the United States.

I sought to get this bill up as an amendment to the supplemental, but, unfortunately, my friends on the other side of the aisle saw it in a different way and would not let my amendment come up. We are going to be back. We are going to have this bill up either as a standalone bill or as an amendment at the next opportunity to make sure we do everything we can as Members of the Senate who voted 90 to 6 to not bring these individuals from Guantanamo to the United States, to again have the opportunity to vote on this issue and to make sure that not only do we not bring them here, but that if by some quirk the President decides we ought to bring them here and does so, then there is never the opportunity for those individuals to be released into the United States, into any of our communities, irrespective of where they may reside.

I simply will close tonight and say this is a very serious issue that, in fact, is being considered by the conferees tonight, I understand, on the supplemental that we voted on a couple weeks ago. The language that was agreed to by that 90-to-6 vote may be in jeopardy. Democrats may be trying to pull that particular provision out of the supplemental and to, thereby, not have language in there that would prohibit these individuals from coming into our country.

I think that is certainly against the will of the American people, it is certainly against the will of the Senate in a big way, and I think would be a huge mistake.

I look forward to continuing the debate on this issue. I look forward to our bill coming up, either in the form of a standalone bill or in the form of an amendment because this is an issue that is not going away until we figure out a way to deal with these individuals who are incarcerated at Guanta-

namo in a lawful manner as enemy combatants and that we figure out a way to deal with them on a long-term basis that ultimately will allow us to leave Guantanamo and close that facility.

Mr. President, I yield the floor.

## ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER (Mr. BEGICH). Under the previous order, the Senate stands adjourned until June 11 at 10 a.m.

Thereupon, the Senate, at 7:16 p.m., adjourned until Thursday, June 11, 2009, at 10 a.m.

## NOMINATIONS

Executive nominations received by the Senate:

### DEPARTMENT OF THE INTERIOR

ROBERT V. ABBEY, OF NEVADA, TO BE DIRECTOR OF THE BUREAU OF LAND MANAGEMENT, VICE JAMES L. CASWELL, RESIGNED.

### DEPARTMENT OF STATE

TIMOTHY J. ROEMER, OF INDIANA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO INDIA.

### NATIONAL MEDIATION BOARD

HARRY R. HOGLANDER, OF MASSACHUSETTS, TO BE A MEMBER OF THE NATIONAL MEDIATION BOARD FOR A TERM EXPIRING JULY 1, 2011. (REAPPOINTMENT)

### FOREIGN SERVICE

THE FOLLOWING-NAMED PERSONS OF THE AGENCIES INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

### DEPARTMENT OF STATE

SUSAN MARIE CARL, OF ALASKA

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE TO BE CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

### DEPARTMENT OF COMMERCE

LANDON A. LOOMIS, OF LOUISIANA  
KEENTON C. LUONG, OF CALIFORNIA  
MEGAN A. SCHILDGEN, OF MARYLAND

### DEPARTMENT OF STATE

KARL MILLER ADAM, OF TEXAS  
ANJUM F. AKHTAR, OF CALIFORNIA  
ELIZABETH ANN ALBIN, OF TEXAS  
MARK K. ANTOINE, OF VIRGINIA  
JULIA ELIZABETH AFGAR, OF THE DISTRICT OF COLUMBIA  
DANIEL PATRICK ARAGÓN, OF VERMONT  
KARLA ASCARRUNZ, OF VIRGINIA  
NATHAN D. AUSTIN, OF WASHINGTON  
DINA A. BADAWEY, OF CALIFORNIA  
FRANÇOISE I. BARAMDYKA, OF CALIFORNIA  
ASHLEY CHANTREL BARINER-BYRD, OF PENNSYLVANIA  
MATTHEW BAUMGART, OF THE DISTRICT OF COLUMBIA  
BRIAN PAUL BECKMANN, OF MINNESOTA  
FRITZ BERGGREN, OF WASHINGTON  
KATHRYN W. BONDY, OF GEORGIA  
ROXANA BOTEA, OF VIRGINIA  
A. STEPHANIE BRANCAFORTE, OF VIRGINIA  
JENNIFER LEIGH BRIDGERS, OF GEORGIA  
THEODORE BROSIUS, OF THE DISTRICT OF COLUMBIA  
ANNMARIE E. BRUEN, OF VIRGINIA  
MICHAEL WILLIAM CAMPBELL, OF MARYLAND  
JESSICA CHESBRO, OF OREGON  
HENRY K. CLARK, OF MARYLAND  
BIANCA M. COLLINS, OF VIRGINIA  
PATRICIA A. CONNELLEY, OF VIRGINIA  
JUSTIN JOHN COOK, OF VIRGINIA  
ANTON M. COOPER, OF WASHINGTON  
EDWARD KENNETH CORRIGAN IV, OF VIRGINIA  
ANN MARIE COTE, OF MICHIGAN  
ANDREW J. CURIEL, OF CALIFORNIA  
DOUGLAS M. DISABELLO, OF VIRGINIA  
JENNY R. DONADIO, OF VIRGINIA  
NICK DONADIO, OF VIRGINIA  
COLIN C. DREIZIN, OF CALIFORNIA  
JENNIFER G. DUCKWORTH, OF THE DISTRICT OF COLUMBIA  
THOMAS A. DUVAL, OF MASSACHUSETTS  
AMY E. EAGLEBURGER, OF NORTH CAROLINA  
JEREMY EDWARDS, OF TEXAS  
JEFFREY E. ELLIS, OF WASHINGTON  
SHANNON M. EPPS, OF VIRGINIA