

known that their resolve will not and cannot be shattered. The ideals represented by the uniform worn by Andy Long, his parents, and the generations of brave American men and women before them, still serve to represent liberty and justice for all, and no act of terrorism can diminish that. It can only strengthen our resolve and reaffirm our commitment to America's most basic ideals and values.

Our country owes a great debt to Private Long for his service, as well as to the brave men and women in the Armed Forces who protect and defend the freedoms we cherish as Americans each and every day. Our thoughts and prayers go out to Private Long's family and to all of those who knew and loved him. We are a grateful nation for incredible individuals like Private Andy Long.

Mr. President, I yield the floor.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table with no intervening action or debate, and any statements be printed in the RECORD.

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

The resolution (S. Res. 186) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 186

Whereas on June 1, 2009, Private William Andrew "Andy" Long, aged 23, of Conway, Arkansas, was murdered outside the Army-Navy Career Center in Little Rock, Arkansas;

Whereas on June 1, 2009, Private Quinton Ezeagwula, aged 18, of Jacksonville, Arkansas, was wounded by gunfire outside the Army-Navy Career Center in Little Rock, Arkansas;

Whereas there are more than 1,400,000 active component and more than 1,200,000 reserve component members of the Armed Forces protecting the United States;

Whereas there are more than 8,000 Army and Army Reserve recruiters and more than 7,000 Navy recruiters serving at more than 1,500 military recruiting stations and centers in United States, Guam, Puerto Rico, and Europe;

Whereas the men and women of the Armed Forces risk their lives every day to preserve the freedoms cherished by people in the United States;

Whereas service in the Armed Forces demands extraordinary sacrifices from service members and their families and often places service members in harm's way;

Whereas members of the Armed Forces are the targets of violence not only abroad but in the United States as well; and

Whereas such violence is reprehensible and must not be tolerated: Now, therefore, be it Resolved, That the Senate—

(1) offers its condolences to the family of Private William Andrew "Andy" Long;

(2) hopes for a full recovery for Private Quinton Ezeagwula;

(3) urges swift prosecution to the fullest extent of the law of the perpetrator or perpetrators of this senseless shooting;

(4) urges the people of the United States to join the Senate in condemning acts of violence; and

(5) honors the service and sacrifice of all men and women in the Armed Services who protect and defend our freedom every day.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 111-3

Mr. REID. Madam President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on June 16, 2009, by the President of the United States:

Protocol Amending the Tax Convention with New Zealand, Treaty Document 111-3.

I further ask that the treaty be considered as having been read the first time; it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

To the Senate of the United States:

I transmit herewith, for the advice and consent of the Senate to its ratification, the Protocol Amending the Convention between the United States of America and New Zealand for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion With Respect to Taxes on Income, signed on December 1, 2008, at Washington (the "proposed Protocol"). I also transmit for the information of the Senate the report of the Department of State, which includes an Overview of the proposed Protocol.

The proposed Protocol provides for the elimination of withholding taxes on certain cross-border direct dividend payments and on cross-border interest payments to certain financial enterprises. The proposed Protocol reduces the existing Convention's 10-percent limit on withholding taxes on cross-border payments of royalties to 5 percent.

The proposed Protocol contains a comprehensive provision designed to prevent "treaty shopping," which is the inappropriate use of a tax treaty by third-country residents. The proposed Protocol also provides for the exchange of information between tax authorities of the two countries to facilitate the administration of each country's tax laws.

I recommend that the Senate give early and favorable consideration to the proposed Protocol and give its advice and consent to ratification.

BARACK OBAMA.

THE WHITE HOUSE, June 16, 2009.

ORDERS FOR WEDNESDAY, JUNE 17, 2009

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until tomorrow, Wednesday, June 17, at 9:30 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 there be a period of morning business for up to 1 hour, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the second half, with Senators permitted to speak for up to 10 minutes each.

Further, I ask that following morning business, the Senate resume consideration of the motion to proceed to S. 1023, the Travel Promotion Act of 2009, and that the time during any adjournment or period of morning business count postcloture.

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

PROGRAM

Mr. REID. If we are required to use the full 30 hours of postcloture debate time, the Senate would proceed to the bill at approximately 6:15 tomorrow evening. As I have stated previously, we expect to turn to the consideration of the supplemental conference report when it becomes available.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent it stand adjourned under the previous order.

Thereupon, the Senate, at 6:02 p.m., adjourned until Wednesday, June 17, 2009, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

NICOLE A. AVANT, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE COMMONWEALTH OF THE BAHAMAS.

HOWARD W. GUTMAN, OF MARYLAND, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO BELGIUM.

IN THE COAST GUARD

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS A PERMANENT COMMISSIONED REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 211(A)(3):

To be lieutenant

CHRISTOPHER G. BUCKLEY

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be major

IRA S. EADIE

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

JAMES C. EWALD

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

PHILIP M. CHANDLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY

MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

ALAN K. UEOKA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

MARTIN W. KINNISON

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

To be lieutenant commander

- MATTHEW J. BELLAIR
- JAY D. BIJEAU
- DANIEL E. CHARLTON
- JOSHUA A. CHISHOLM
- BRYAN J. CHRISTIANSEN
- ERIK D. COPLIN
- ROBERT P. CROCETTA II
- JASON N. GLAB
- JOSHUA A. HOOPS
- EVAN J. LAFRANCE
- KIMBERLY E. LEONARD
- JESSE H. NICE
- TIMOTHY M. PRATT
- DAVID J. RUSSELL
- MICHAEL K. SIMS
- JOSEPH D. SINGER
- DAVID J. TULOWIECKI
- JUSTIN W. WESTFALL

DISCHARGED NOMINATION

The Senate Committee on Environment and Public Works was discharged from further consideration of the following nomination pursuant to an order of the Senate of 03/10/2005 and the nomination was placed on the Executive Calendar:

*JO ELLEN DARCY, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF THE ARMY.

*Nominee has committed to respond to requests to appear and testify before any duly constituted committee of the Senate.