

Whereas a majority of college students in the United States live in off-campus residences;

Whereas a number of fatal fires have occurred in buildings in which the fire safety systems had been compromised or disabled by the occupants;

Whereas automatic fire alarm systems provide the early warning of a fire that is necessary for occupants and the fire department to take appropriate action;

Whereas automatic fire sprinkler systems are a highly effective method of controlling or extinguishing a fire in its early stages, protecting the lives of the building's occupants;

Whereas many college students live in off-campus residences, fraternity and sorority housing, and residence halls that are not adequately protected with automatic fire sprinkler systems and automatic fire alarm systems;

Whereas fire safety education is an effective method of reducing the occurrence of fires and reducing the resulting loss of life and property damage;

Whereas college students do not routinely receive effective fire safety education during their time in college;

Whereas it is vital to educate young people in the United States about the importance of fire safety to help ensure fire-safe behavior by young people during their college years and beyond; and

Whereas, by developing a generation of fire-safe adults, future loss of life from fires may be significantly reduced: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 2009 as "Campus Fire Safety Month"; and

(2) encourages administrators of institutions of higher education and municipalities across the country—

(A) to provide educational programs to all students during September and throughout the school year;

(B) to evaluate the level of fire safety being provided in both on- and off-campus student housing; and

(C) to ensure fire-safe living environments through fire safety education, installation of fire suppression and detection systems, and the development and enforcement of applicable codes relating to fire safety.

AGENT ORANGE AWARENESS MONTH

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 248, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will state the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 248) designating the month of August 2009 as "Agent Orange Awareness Month."

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

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 248) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 248

Whereas between 1964 and 1973, 8,744,000 men and women bravely served our Nation in the Vietnam War;

Whereas an estimated 2,600,000 service men and women may have been exposed to Agent Orange in Vietnam;

Whereas Agent Orange is an herbicide that was used during the Vietnam War to kill unwanted plant life and remove leaves from trees that provided cover for the enemy;

Whereas the United States military sprayed more than 19,000,000 gallons of herbicide throughout South Vietnam, with Agent Orange accounting for approximately 11,000,000 gallons of this amount;

Whereas Agent Orange is an extremely toxic substance that contains dioxin;

Whereas the Department of Veterans Affairs has recognized that certain cancers and other health problems are associated with exposure to Agent Orange;

Whereas John Baldacci, the Governor of the State of Maine, has proclaimed August 2009 as "Agent Orange Awareness Month" for that State;

Whereas the State of Alaska has 76,000 veterans, the highest population of veterans per capita, with 26,000 of these being veterans of the Vietnam War; and

Whereas, as a Nation, we are deeply grateful and thankful for those men and women who bravely served during the Vietnam War: Now, therefore, be it

Resolved, That the Senate—

(1) designates the month of August 2009 as "Agent Orange Awareness Month";

(2) calls attention to those veterans who were exposed to Agent Orange and the adverse effects that such exposure has had on their health;

(3) recognizes the sacrifices that our veterans and servicemembers have made and continue to make on behalf of our great Nation, especially those veterans who were exposed to Agent Orange;

(4) reaffirms its commitment to our Nation's veterans; and

(5) does not, by this resolution, authorize, support, or settle any claim against the United States.

HONORING U.S. NAVY PILOT CAPTAIN MICHAEL SCOTT SPEICHER

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 249, which was submitted earlier today.

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. 249) honoring United States Navy Pilot Captain Michael Scott Speicher who was killed in Operation Desert Storm.

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

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 249) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 249

Whereas more than 88,000 Americans remain missing from World War II, the Korean

War, the Cold War, the Vietnam War, and the wars in Iraq and Afghanistan;

Whereas the people of the United States honor Captain Michael Scott Speicher;

Whereas Captain Speicher was shot down in Wadi Thumayal while flying an F/A-18 Hornet fighter jet on January 16, 1991, the first night of the Persian Gulf War;

Whereas Captain Speicher's fate remained unknown until July 2009, when United States Marines stationed in Anbar recovered his remains in an unmarked desert grave;

Whereas Captain Speicher made the ultimate sacrifice for his country; and

Whereas Captain Speicher's wife and 2 children have sacrificed to the greatest extent, and the people of the United States honor them by commemorating Captain Speicher: Now, therefore, be it

Resolved, That the Senate—

(1) honors Captain Michael Scott Speicher for his service and sacrifice, and for giving his life fighting for the Nation in Operation Desert Storm;

(2) honors Captain Speicher's family for their love and undying strength and determination to bring Captain Speicher home;

(3) encourages the Department of Defense to continue the Nation's efforts to provide clear and accurate information about what happened to our fallen heroes, to determine the nature and cause of Captain Speicher's death, and to continue accounting for all who remain missing in action; and

(4) honors the United States Navy, the United States Marine Corps, the Defense Intelligence Agency, and the Department of Defense for their efforts to bring Captain Speicher home.

AUTHORIZING TESTIMONY AND LEGAL REPRESENTATION

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 250, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 250) to authorize testimony and legal representation in People of the State of California v. Amir Shervin.

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

Mr. REID. Mr. President, this resolution concerns a request for testimony and representation in a criminal action in Superior Court in Alameda County, CA. In this action, the defendant is charged by the State of California with resisting arrest arising out of an attempt by the police to serve him with a warrant requiring his court appearance on the charge that, in September 2006, he battered an employee in the reception area of the San Francisco office of Senator BARBARA BOXER.

The prosecution has sought testimony from Senator BOXER's employee concerning the events that transpired in the reception area of her San Francisco office. This resolution would authorize her employee to testify in this action, with representation by the Senate Legal Counsel of him and any other employee of Senator BOXER's office from whom testimony may be necessary.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the resolution 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 statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 250) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 250

Whereas, in the case of *People of the State of California v. Amir Shervin*, No. 05-221878, pending in Superior Court in Alameda County, California, the prosecution has sought testimony from Eric Vizcaino, an employee of Senator Barbara Boxer;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent an employee of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That Eric Vizcaino and any other employee of Senator Boxer's office from whom testimony may be necessary are authorized to testify in the case of *People of the State of California v. Amir Shervin*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent employees of Senator Boxer's office in connection with the testimony authorized in section one of this resolution.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, and upon the recommendation of the majority leader, pursuant to 22 U.S.C. 2761, as amended, appoints the following Senators as delegates of the British-American Interparliamentary Group conference during the 111th Congress: the Honorable BERNARD SANDERS of Vermont, and the Honorable ROLAND BURRIS of Illinois.

The Chair, on behalf of the President pro tempore, and upon the recommendation of the Republican leader, pursuant to 22 U.S.C. 2761, as amended, appoints the following Senator as a delegate of the British-American Interparliamentary Group conference during the 111th Congress: the Honorable JUDD GREGG of New Hampshire.

The Chair, on behalf of the majority leader, pursuant to Public Law 101-549, appoints the following individual to the Board of Directors of the Mickey

Leland National Urban Air Toxics Research Center: Shawn Gerstenberger of Nevada.

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

The PRESIDING OFFICER (Mr. WHITEHOUSE). Without objection, it is so ordered.

The Senator from Colorado is recognized.

Mr. BENNET. I thank the Chair.

(The remarks of Mr. BENNET pertaining to the introduction of S. 1613 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

ORDERS FOR FRIDAY, AUGUST 7, 2009

Mr. BENNET. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow, Friday, August 7; 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 then be a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

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

PROGRAM

Mr. BENNET. Mr. President, there will be no rollcall votes during Friday's session of the Senate. The next vote will occur at approximately 5:30 p.m. on Tuesday, September 8.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BENNET. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 10:01 p.m., adjourned until Friday, August 7, 2009, at 9:30 a.m.

NOMINATIONS

Executive Nominations Received by the Senate:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

JIM R. ESQUEA, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES, VICE VINCENT J. VENTIMIGLIA, JR., RESIGNED.

DEPARTMENT OF STATE

JOSE W. FERNANDEZ, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF STATE (ECONOMIC, ENERGY, AND BUSINESS AFFAIRS), VICE DANIEL S. SULLIVAN, RESIGNED.

WILLIAM E. KENNARD, OF THE DISTRICT OF COLUMBIA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE EUROPEAN UNION, WITH THE RANK

AND STATUS OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY.

ALAN D. SOLOMONT, OF MASSACHUSETTS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO SPAIN, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO ANDORRA.

LEGAL SERVICES CORPORATION

ROBERT JAMES GREY, JR., OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2011, VICE BERNICE PHILLIPS, TERM EXPIRED.

JOHN GERSON LEVI OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2011, VICE HERBERT S. GARTEN, TERM EXPIRED.

MARTHA L. MINOW, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2011, VICE DAVID HALL, TERM EXPIRED.

JULIE A. REISKIN, OF COLORADO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2010, VICE THOMAS R. MEITES, TERM EXPIRED.

GLORIA VALENCIA-WEBER, OF NEW MEXICO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2011, VICE SARAH M. SINGLETON, TERM EXPIRED.

EXECUTIVE OFFICE OF THE PRESIDENT

BENJAMIN B. TUCKER, OF NEW YORK, TO BE DEPUTY DIRECTOR FOR STATE, LOCAL, AND TRIBAL AFFAIRS, OFFICE OF NATIONAL DRUG CONTROL POLICY, VICE SCOTT M. BURNS.

DEPARTMENT OF JUSTICE

KENYEN RAY BROWN, OF ALABAMA, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF ALABAMA FOR THE TERM OF FOUR YEARS, VICE DEBORAH JEAN JOHNSON RHODES, RESIGNED.

NEIL H. MACBRIDE, OF VIRGINIA, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF VIRGINIA FOR THE TERM OF FOUR YEARS, VICE CHARLES P. ROSENBERG, RESIGNED.

BENJAMIN B. WAGNER, OF CALIFORNIA, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF CALIFORNIA FOR THE TERM OF FOUR YEARS, VICE MCGREGOR WILLIAM SCOTT, RESIGNED.

STEVEN GERARD O'DONNELL, OF RHODE ISLAND, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF RHODE ISLAND FOR THE TERM OF FOUR YEARS, VICE BURTON STALLWOOD.

THE JUDICIARY

JANE BRANSTETTER STRANCH, OF TENNESSEE, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SIXTH CIRCUIT, VICE MARTHA CRAIG DAUGHTREY, RETIRED.

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

DAVID C. GOMPERT, OF VIRGINIA, TO BE PRINCIPAL DEPUTY DIRECTOR OF NATIONAL INTELLIGENCE, VICE DONALD M. KERR, RESIGNED.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. JOHN S. WELCH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271:

To be rear admiral (lower half)

CAPTAIN DANIEL B. ABEL
CAPTAIN VINCENT B. ATKINS
CAPTAIN STEPHEN E. MEHLING
CAPTAIN KARL L. SCHULTZ
CAPTAIN SANDRA L. STOSZ
CAPTAIN CARI B. THOMAS
CAPTAIN CHRISTOPHER J. TOMNEY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS A PERMANENT COMMISSIONED REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER SECTION 211(A)(1), TITLE 14, U.S. CODE:

To be lieutenant

THOMAS J. RILEY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS A PERMANENT COMMISSIONED REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER SECTION 211(A)(1), TITLE 14, U.S. CODE:

To be lieutenant

SHADRACK L. SCHEIRMAN

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS A PERMANENT COMMISSIONED REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER SECTION 211(A)(1), TITLE 14, U.S. CODE:

To be lieutenant

CHAD R. HARVEY