Her impact will be felt long after she leaves this Chamber.

Perhaps her most important work has been her tireless efforts to protect America's children. Senator LINCOLN was the lead driving force, along with the First Lady, on the passage of the Healthy, Hunger-Free Kids Act to make sure our children have access to healthy meals.

She was a cofounder of the Senate Caucus on Missing, Exploited, and Runaway Children. She is also the current chair of the bipartisan Senate Hunger Caucus.

So I am honored to call Senator LINCOLN a friend and a colleague, and I join my friends and colleagues in saluting her remarkable accomplishments. I will miss her. But we know her too well to think we have heard the last from her.

It would not be appropriate not to say something about her wonderful family. Her doctor husband and her twins are remarkably good individuals. Her husband is one of the nicest people I have ever met. He has such a great presence about him. I have met him on the many occasions we have been able to get together as a Senate family, and he certainly, to me, is part of that family.

But if I ever need to find Senator LINCOLN, I will always know where to look. Because if there is an issue that has gone unnoticed or a person who feels forgotten or a cause that is worth fighting, BLANCHE LINCOLN is probably not far behind and already on the case.

I wish Blanche and her family the very, very best. It has been a pleasure to get to know BLANCHE LINCOLN. I look forward to our future association.

RUSS FEINGOLD

Mr. President, I have served with RUSS FEINGOLD in the Senate for 18 years. There has never been a point where I did not know where he stood and what his core principles were.

Senator RUSS FEINGOLD came to the body in 1992 with one goal in mind: To always represent the people of Wisconsin—not the special interests, not the establishment. And he never compromised his principles, even though sometimes it made it very difficult for me. But he is a man of principle, and that certainly is the truth.

When RUSS first ran for the Senate in 1992, he famously wrote down five core promises he would always keep if he were elected. He wrote them on a piece of paper, and then he affixed this piece of paper and these promises to his garage door at his home.

The promises were: To rely on Wisconsin citizens for most of his contributions; to live in Middleton, WI, and send his children to school there; to accept no pay raise during his time in office; to hold listening sessions in each of the 72 Wisconsin counties each year of his term in the Senate; and to make sure that the majority of his staff are from Wisconsin and with a Wisconsin background.

It should surprise no one that he held true to each of these promises and surpassed every expectation that any Badger could have had for this good man who hails from Janesville, WI.

As quick as Senator FEINGOLD has been to voice thoughtful opposition to anything that would go against his core principles, he never hesitated to reach across the aisle and work in good faith with every Member of this body.

Because of his bipartisan efforts, our system for financing political campaigns is cleaner, more transparent, and more free of undue corporate influence. It is too bad the Supreme Court has so weakened the McCain-Feingold legislation.

In 2002, Senator FEINGOLD spoke on the Senate floor during the campaign finance debate, and he spoke remarkable words about why he fought so hard for that legislation. He said:

> Nothing has bothered me more in my public career than the thought that young people looking to the future might think that it is necessary to be a multimillionaire or somehow have access to the soft money system in order to participate, to participate as a candidate as part of the American dream.

It is a simple statement, but it truly helps us understand why the people of Wisconsin were always proud of their junior Senator—because he spoke simple truths, fought passionately for the middle class, and was able to always tap into what people were discussing over their kitchen tables every night.

RUSS FEINGOLD often stood in the minority to voice his positions that were not necessarily popular. He was a strong advocate for equal rights for same-sex couples even when it wasn't the popular thing to do, and he opposed the 2003 Iraq war from the very beginning and has stayed true to his feelings on this issue since then. But that is the very essence of RUSS FEINGOLD. He stands on principle and his core beliefs even when it isn't convenient. He speaks the truth even when it ruffles feathers. As someone who has been elected to public office for a long time, it is very difficult to express to everyone within the sound of my voice what a special type of person RUSS FEINGOLD is. He is the type of person who will remain firm and steadfast in all the ways he serves. He is that special kind of person.

He has continued the tradition of some of the greatest Members of this body. He combines the tenacity of Paul Wellstone with Ted Kennedy's desire to always fight for the underdog. RUSS FEINGOLD has etched himself into the fabric of this body and for many of us will always be a part of our collective conscience. If we follow the example of Russ Feingold, we can rest easy at night knowing that when we stand on principle, we never have to worry about second-guessing ourselves.

TRIBUTE TO COLONEL BRADLEY TURNER

Mr. MCCONNELL. Mr. President, I rise today to honor the work of an unsung hero, COL Bradley Turner of Booneville, KY. After a 37-year career serving in our Nation's military, Colonel Turner recently retired on September 24 of this year.

Over that nearly four-decade span, he served in the U.S. Marine Corps, the U.S. Army, and the Kentucky Army National Guard. Before earning the rank of colonel, Bradley was a sergeant in the Marines, a captain in the Army, and a lieutenant colonel while in the Guard. In 1991, he was deployed in Operation Desert Storm with the 623rd Field Artillery from Glasgow, KY.

Throughout his career he earned many medals, including the Bronze Star Medal and the Meritorious Service Medal, among others. His dedication in serving our country has truly been a blessing to our Commonwealth and our Nation. I ask my colleagues to join me in congratulating Colonel Bradley Turner for his service. The Booneville Sentinel recently published a story about Colonel Turner and his accomplishments. I ask unanimous consent that the full article be printed in the RECORD following these remarks.

There being no objection the material was ordered to be printed in the RECORD as follows:

[From the Booneville Sentinel, Dec. 8, 2010]

COLONEL BRADLEY TURNER RETIRES AFTER 37-YEAR CAREER

Colonel Bradley Turner of Booneville has retired from the U.S. Army Reserve after a 37-year career. He enlisted in the U.S. Marine Corps in 1973 and served 4 years, attaining the rank of sergeant. After leaving the Marine Corps he attended Lees College and Morehead State University where he graduated with a bachelor of science degree. While in college he attended ROTC and was commissioned in 1981 in the U.S. Army. He served 4 years on active duty, attaining the rank of captain. After leaving active duty, he joined the Kentucky Army National Guard. During his service in the Guard he served as a battery commander, battalion and brigade operations officer, and battalion and brigade executive officer. In 1991 he was deployed to Operation Desert Storm with the 623rd Field Artillery from Glasgow, Kentucky. He was mobilized again in 2003 with the 138th Field Artillery Brigade from Lexington, Kentucky.

While in the Guard he graduated from the U.S. Army War College with a master's degree in strategic studies, and he attained the rank of lieutenant colonel. He then transferred to the 100th Training Division, U.S. Army Reserve where he was the battalion commander of the 10th Battalion of the 100th Division in Lexington, and later a principal staff officer at the division headquarters in Louisville. While at the division headquarters he attained the rank of colonel.

His awards include the Bronze Star Medal, the Meritorious Service Medal (2 awards), the Army Commendation Medal, the Army Achievement Medal, the Military Outstanding Volunteer Service Medal, the Global War on Terrorism Service Medal, the Southwest Asia Campaign Medal, and the Liberation of Kuwait Medal. He is married to Debra Combs Turner and they have three children, Tangee Young of Ricetown, Brandi Thompson of Vancleve, and Jeremy Turner of Booneville. They have 4 grandchildren. They reside in east Booneville, and he is an employee of the Lee Adjustment Center in Beattyville. Colonel Turner retired effective September 24, 2010, at the 100th Division in Louisville, Kentucky.

PORTEOUS IMPEACHMENT

Mrs. MCCASKILL. Mr. President, I ask unanimous consent that a joint statement by myself and Senator HATCH regarding the Porteous impeachment be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JOINT STATEMENT OF SENATOR CLAIRE MCCASKILL, CHAIRMAN AND SENATOR ORRIN G. HATCH, VICE CHAIRMAN, U.S. SENATE IMPEACHMENT TRIAL COMMITTEE ON THE ARTICLES AGAINST JUDGE G. THOMAS PORTEOUS, JR. OF THE EASTERN DISTRICT OF LOUISIANA

Because the Senate deliberated in closed session, this statement is the only opportunity during the formal impeachment trial process to formally explain our votes and to offer some views on certain issues for future consideration. We independently evaluated the articles of impeachment brought by the House of Representatives and the motions field by Judge Porteous. Because we came to the same conclusions and share many of the same views regarding the articles and motions, we thought it most useful to file a joint statement for the record.

The unique nature of impeachment, what it is and what it is not, is an essential guiding principle for the impeachment trial process. Impeachment is a legislative, not a judicial, process for evaluating whether the conduct of certain federal officials renders them unfit to continue in office. Our impeachment precedents give some general definition to the kind of conduct that may meet this standard. The Senate, for example, convicted and removed U.S. District Judge Halsted Ritter in 1933 for bringing his court into ''scandal and disrepute.'' Similarly, during the impeachment trial of U.S. District Judge Alcee Hastings, the President Pro Tempore stated that the question is whether the defendant ''has undermined confidence in the integrity and impartiality of the judiciary and betrayed the trust of the people of the United States.''

A consistent focus on the essential nature of impeachment helps answer many of the questions that arise in the impeachment trial process. For example, it sets impeachment apart from the civil or criminal justice processes. Federal officials may be impeached for conduct covered by the criminal law for which they have been convicted, acquitted, or not prosecuted, as well as for conduct that is not criminal at all. Standards of proof that apply in those contexts do not necessarily apply in an impeachment trial; in fact, there exists no single or uniform standard of proof that the Senate as a body must apply.

There also exists no rigid standard for the form that articles of impeachment must take. The Constitution gives the ''sole power of impeachment'' to the House of Representatives, which necessarily includes substantial authority to frame articles of impeachment. As it did in the Hastings impeachment, this may result in articles that each alleges an individual act. But other cases, like the present one, may involve distinct sets or categories of conduct. Just as impeachments arise out of different sets of facts, impeachment articles may take more than one form. In every case, however, the House must prove that the conduct alleged in the articles that it frames and exhibits to the Senate justifies removing a federal official from office.

In July, Judge Porteous filed with the Senate Impeachment Trial Committee a motion to dismiss the articles of impeachment as ''unconstitutionally aggregated.'' Before the full Senate, he revised this motion to request that the Senate take a preliminary vote on each allegation, a total by his count of approximately 25, contained in the articles. The Committee denied the original motion to dismiss and we joined the Senate in unanimously defeating the revised motion. Even though the articles of impeachment include multiple allegations, we believe that each meets the standard established by the Senate Impeachment Trial Committee during the impeachment of U.S. District Judge Walter Nixon and adopted in the present case. Each article presents a coherent and intelligible accusation that properly serves as the basis for the impeachment trial. The need for proving individual elements of an offense is appropriate for the criminal law but, as mentioned earlier, impeachable offenses need not be prohibited by the criminal law at all. Requiring a separate vote on every allegation contained within an impeachment article effectively re-drafts that article, with the result that the Senate would vote on an impeachment matter that the House did not adopt. Finally, Rule 23 of the Senate's impeachment rules explicitly prohibits dividing articles of impeachment for the purpose of voting ''at any time during the trial.''

Unless absolutely necessary, impeachment trials should be decided not on the basis of motions that make broad statements or set broad precedents, but on the merits of individual cases and articles of impeachment as the House frames and exhibits them. In this case, each article of impeachment alleged not a collection of unrelated acts but coherent patterns or sets of conduct. The question for the Senate was whether the conduct alleged in each article justified removing Judge Porteous from the bench.

One somewhat novel issue raised in this case was whether a federal official may be impeached on articles that allege conduct occurring before he took federal office. The proper focus on the essential nature of impeachment is again important here. Judge Porteous argued for an absolute, categorical rule that would preclude impeachment and removal for any pre-federal conduct. That should not be the rule any more than allowing impeachment for any pre-federal conduct that is entirely unrelated to the federal office or the individual's conduct in that office.

Pre-federal conduct should not itself ordinarily be the primary basis for impeachment. Particularly egregious pre-federal conduct that, by itself, would justify impeachment and removal would likely have prevented an individual's appointment in the first place. In most cases, therefore, the question is whether a federal official's conduct since taking office warrants removal from that office. That is the question in the present case because none of the articles of impeachment against Judge Porteous is based entirely on pre-federal conduct.

The conduct alleged in Article I contained substantial pre-federal and federal conduct. The House framed the article to include a kickback scheme whereby the law firm of Jacob Amato and Robert Creely would receive curatorship case appointments from Judge Porteous in exchange for Creely and Amato paying some of the fees back to Judge Porteous through the hands of Creely. All parties agree that there was no explicit agreement regarding these cases, but it is estimated that approximately half of the fees went back to Judge Porteous. The curatorship kickback scheme, by definition, could only have occurred during Judge Porteous's time on the state bench. When Judge Porteous, after his appointment to the federal bench, could no longer assign curatorship cases to Amato and Creely, the money stopped coming to Judge Porteous from Amato and Creely.

This pre-federal conduct flowed into Judge Porteous's federal service in two documented instances. First, Amato was brought on as counsel for Liljeberg in a multi-million dollar lawsuit named Lifemark v. Liljeberg. Judge Porteous was scheduled to try the case without a jury approximately six weeks from Amato's entry into the case. Counsel for Lifemark filed a motion to recuse Judge Porteous because of the close relationship between Amato and Judge Porteous. While opposing counsel did not know of the curatorship kickback scheme, Judge Porteous did. Judge Porteous clearly should have recused himself or disclosed the scheme. Instead, he chose to misrepresent his relationship with Amato during the recusal hearing. Second, after trial in the Lifemark case, Judge Porteous took the case under advisement. During this period, Judge Porteous solicited money from Amato and received $2,000 in cash, split equally by Amato and Creely from the firm's account. There is no legitimate reason that a federal judge would solicit and accept cash from a lawyer with a case in front of him. We believe that soliciting and receiving a $2,000 cash payment from a lawyer in a case currently before him would alone have been enough to warrant Judge Porteous's impeachment and removal. When viewed with the additional factors, including the kickback scheme, the fact that the lawyer stood to make hundreds of thousands of dollars through a contingency fee if he won, that the judge misrepresented his relationship during the recusal hearing, and that the appeals court found that parts of the judge's decision in favor of this lawyer's client were ''apparently constructed out of whole cloth,'' Judge Porteous's conduct deserved the unanimous rebuke of the United States Senate and removal from the federal bench.

The allegations in Article II were very serious and no doubt tainted Judge Porteous's ability to serve on the bench. They involve Judge Porteous's relationship with a bail bonds company and its owners, Louis and Lori Marcotte. This article is, primarily though not exclusively, based upon Judge Porteous's actions prior to his service on the federal bench. The fact that this conduct is pre-federal is not alone a bar to removal, though it is a significant factor to consider when evaluating this and future articles.

We decided to vote against conviction on Article II not only because most of the alleged conduct occurred before Judge Porteous became a federal judge, but also because we were not convinced that the conduct sufficiently proven by the House rose to the level of a high crime or misdemeanor. The Marcottes, who are felons convicted of manipulating the Louisiana justice system for profit, are the only source of evidence against Judge Porteous. Unlike the evidence presented on Article I, there are limited receipts and other documentary evidence supporting the claims made by the Marcottes. We found that the timelines laid out by Louis Marcotte, Lori Marcotte, Jeffrey Duhon, and Aubrey Wallace to be inconsistent with one another and with the documentary evidence that does exist regarding this article.

The most prominent example of the inconsistent timelines deals with the allegation that Judge Porteous improperly set aside or expunged the convictions of Jeffrey Duhon and Aubrey Wallace as a favor to Louis Marcotte. Louis Marcotte testified that his corrupt relationship with Judge Porteous did not really begin until after September 1993. The Duhon conviction was expunged in 1992. In addition, Judge Porteous only performed a ministerial step in expunging the conviction. Another judge performed most of the responsibilities in setting aside and