

to offer limited pension funding relief to companies that provide defined benefit plans. While this relief is much needed, I am concerned about any such action that could increase the liability of the PBGC in its current state. As we found at an Aging Committee hearing last year, the agency sorely lacks the oversight and policy direction it requires.

There is little doubt that an improved PBGC governance structure is necessary. The PBGC's boards consist of only three members: the Secretary of Labor, the Secretary of Treasury, and the Secretary of Commerce. These three members obviously have their own agencies to run, and are doing so during an economic crisis.

The Government Accountability Office has indicated for years that the PBGC board members do not have enough time or resources to provide the policy direction and oversight required by the agency. In 28 years, the full board has met only 20 times. These findings have been echoed in reports by the McKinsey & Company consulting group and by the Brookings Institution.

The role of PBGC is too crucial to allow its governance to slip through the cracks. And we have seen devastating results when it has. The former PBGC Director was able to adopt a risky investment strategy just months before the market downturn and inappropriately involve himself in the bidding process, with little more than a rubberstamped approval from the board.

We must ensure that these problems do not impact the ability of the agency to function going forward. I have crafted an amendment based on the PBGC Governance Improvement Act, a bill I introduced with Senators BENNET, MCCASKILL and FEINGOLD, which would significantly improve the PBGC board's governance oversight structure. First and foremost, the amendment would expand the Board's membership, requiring it to meet at least four times a year, and ensuring that the board retains continuity during a change in administration. The amendment would also ensure the PBGC Advisory Council, inspector general, and general counsel have full and direct independent access to the entire board. Finally, the amendment would require the PBGC director to recuse him or herself from potential conflicts of interest, to include any involvement with the agency's technical evaluation panels. These small commonsense changes are a bare minimum needed to make sure the PBGC is secure and taxpayer's are protected.

The role of the PBGC is a vital one, now more than ever. For 44 million Americans with defined benefit pension plans, PBGC is the only thing that stands between the secure retirement they have worked so hard for, and the prospect of living without the retirement income they have earned. We must get the PBGC back on track, or

face the possibility of absorbing its obligations as taxpayers.

Mr. HARKIN. Mr. President, I understand the concerns raised by Senator KOHL, and agree that these are serious issues that need to be addressed. While I believe that short-term, targeted pension funding relief is critically important and should move as quickly as possible, I would welcome the opportunity to work with my colleagues to pursue longer term solutions addressing the many challenges facing our defined benefit pension system, including PBGC governance.

I plan to hold hearings in the HELP Committee this year addressing the state of the defined benefit system and the PBGC. I look forward to discussing with Senator KOHL the ideals and goals reflected in the Pension Benefit Guaranty Corporation Governance Improvement Act of 2009, and I thank him for bringing this important legislation to my attention. I hope that we can work collaboratively on legislation to improve the security of defined benefit pensions and the agency that insures these plans, as well as on broader initiatives to build greater retirement security for all working families.

Mr. BAUCUS. I applaud the chairman of the Select Committee on Aging for raising this important issue. I look forward to working with him and the chairman of the Health, Education, Labor and Pensions Committee on addressing the shortcomings he has highlighted.

Mr. KOHL. With those assurances, I will not offer my amendment and look forward to working with Chairman HARKIN and Chairman BAUCUS on improving the PBGC.

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

The PRESIDING OFFICER (Mr. UDALL of New Mexico). Without objection, it is so ordered.

Mr. KAUFMAN. Mr. President, I ask unanimous consent that on Tuesday, March 9, after any leader time, the time until 11 a.m. be for a period for the transaction of morning business, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders, with the Republicans controlling the first portion; that at 11 a.m., the Senate resume consideration of H.R. 4213 and proceed as under the order of March 5, with all provisions of that order remaining in effect.

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

UGANDA RECOVERY ACT

Mr. LEVIN. Mr. President, I am a cosponsor of a bill introduced by Senators FEINGOLD and BROWNBACK, the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act. I am one of the 62 cosponsors of this legislation, and I believe this broad bipartisan support speaks to both the ur-

gency of this issue and the importance of this legislation.

On a continent plagued by man-made tragedy, the Lord's Resistance Army stands out as a manufacturer of that tragedy. The U.S. State Department describes the LRA as "vicious and cult-like." Formed in the 1980s to overthrow the Ugandan government, the LRA engaged in such widespread violence that at one time, about 2 million Ugandans were displaced from their homes. The LRA massacred, mutilated and abducted civilians, and forced many into sexual servitude. An estimated 66,000 Ugandan youths were forced to fight for the group.

The good news is that the Ugandan government has now largely pushed the LRA out of Uganda. The bad news is that the scars it has left behind are raw and real for Ugandans; and that meanwhile, the LRA has moved into parts of Sudan, the Democratic Republic of Congo, and the Central African Republic, continuing to spread violence and terror. Between September of 2008 and July of 2009, the United Nations estimates that LRA violence claimed 1,300 civilian lives, that the LRA abducted another 1,400 civilians, and that more than 300,000 were forced from their homes.

This legislation, which 63 Senators support, would take a number of steps to address both the aftermath of the LRA's rampage in Northern Uganda and its continuing violence in Uganda's neighbor nations. The Act would require that within six months, the United States develop a comprehensive strategy for dealing with the LRA, including an outline of steps to protect the civilian population against LRA violence. The act would authorize funding under the Foreign Assistance Act of 1961 to provide humanitarian assistance in areas affected by LRA. And it would provide assistance for reconstruction and for promotion of justice and reconciliation in areas of Uganda recovering from the LRA's depredations.

It is unfortunate that despite the broad and bipartisan support for this legislation, apparently only one Member of the Senate objects to it and is able to block its consideration. As with so many measures before the Senate, there is little doubt that this bill would win overwhelming passage were it allowed to come to the floor.

But the innocent victims of LRA violence, past and present, need our help. The objection of one Senator should not be allowed to thwart us responding to that need.

ADDITIONAL STATEMENTS

REMEMBERING JOEL WAHLEN-MAIER AND JAVIER BEJAR

• Mrs. BOXER. Mr. President, I ask my colleagues to join me in honoring the memory of two respected and dedicated public servants, Fresno County Sheriff's Deputy Joel Wahlenmaier and

Reedley Police Officer Javier Bejar. Deputy Wahlenmaier and Officer Bejar were tragically killed in the line of duty while helping officers with the California Fire Marshal's office serve a warrant on a suspected arsonist in Minkler, CA.

Deputy Wahlenmaier was born in Bakersfield, CA, and raised in Fresno. After spending his early career in construction, Deputy Wahlenmaier joined the Fresno County Sheriff's Department in 1998. During his tenure with the department, he worked as a detective in the homicide and property crime bureaus and he was a longtime member of the department's search and rescue team.

Deputy Wahlenmaier is survived by his wife Beverly and children Amy and Austin. He had a profound love of the outdoors. He was a skilled fisherman and hunter who enjoyed skiing and water sports. Those who knew Deputy Wahlenmaier will always remember him as a trusted, caring, and kind colleague and friend, and above all else, a devoted family man.

Officer Bejar was born in Mexico and moved to the United States with his family at the age of 3. He grew up in Orange Cove in Fresno County. While a student at Reedley High School, he became an Explorer Scout in the Reedley Police Department Police Explorer Program, which teaches young people interested in pursuing a law enforcement career the fundamentals of police service. After graduating from high school, he joined the U.S. Marine Corps, during which time he served a 14-month tour in Iraq and Kuwait and earned the rank of sergeant before he was honorably discharged. Officer Bejar joined the Reedley Police Department in 2005. He was named the Reedley Police Department Officer of the Year in 2007 and he received a life-saving medal in 2009.

Officer Bejar is survived by his wife Miriam, his parents, and seven siblings. He will always be remembered as a gentleman with an engaging personality who was committed to his job and family.

Deputy Wahlenmaier and Officer Bejar dutifully served the residents of Fresno County with great selflessness, integrity, and valor. Their devotion to help others and passion to make a positive impact on the community epitomize the best ideals of law enforcement. Their lasting contributions to public safety and law enforcement are greatly appreciated. They will be sorely missed.

We shall always be grateful for Deputy Wahlenmaier and Office Bejar's heroic service and the sacrifices that they made while serving the community and the people they loved.●

TRIBUTE TO LIEUTENANT GENERAL EMERSON GARDNER, JR.

● Ms. MIKULSKI. Mr. President, today I wish to thank LTG Emerson Gardner, Jr. for his outstanding service to our

great Nation and to congratulate him on the occasion of his retirement.

Lieutenant General Gardner hails from the great State of Maryland and next week he will retire from the U.S. Marine Corps after 37 years of faithful and superb service. Duty, honor, country—the Marine Corps motto—are not just words to him. I am so proud of General Gardner's accomplishments and service and would like to share a bit more about this great marine.

Lieutenant General Gardner is a 1973 cum laude graduate of Duke University. He was named an Olmsted Scholar in 1978 and studied history and political science for 2 years at Goettingen, Germany. He is a graduate of The Basic School, Defense Language Institute, Marine Corps Command and Staff College, Armed Forces Staff College, the Norwegian Defense College and the National Security Leadership Course at the Maxwell School of Citizenship and Public Affairs at Syracuse University.

As a distinguished naval aviator, Lieutenant General Gardner served as a helicopter pilot in all three Marine air wings. He was hand-picked to serve as a White House liaison officer and Presidential helicopter command pilot for President Ronald Reagan. As commanding officer of HMM-261, Lieutenant General Gardner led the Raging Bulls in Operation Sharp Edge, the evacuation of Liberia, and into major combat operations during Operations Desert Shield and Storm. It is also important to note that during his career, he has accumulated more than 4,300 flight hours in most of the aircraft currently in the Marine Corps inventory.

Lieutenant General Gardner also served as one of seven Marine Expeditionary Unit commanders in the world. As the commanding officer of the 26th Marine Expeditionary Unit, Special Operations Capable, he led Operation Silver Wake, the noncombatant evacuation, NEO, of Albania, Operation Guardian Retrieval, contingency support for a NEO of Kinshasa, Zaire and Dynamic Response, the first employment of SACEUR's Strategic Reserve into Bosnia.

Lieutenant General Gardner has served as G-3 current ops officer with the 9th Marine Amphibious Brigade in Okinawa, deputy G-3 for II Marine Expeditionary Force and as the J-3, operations officer, for the Standing Joint Task Force, MARFORLANT. He was also the assistant chief of staff for operations and logistics at Allied Forces Northern Europe at Kolsas, Norway and at Allied Forces Northwestern Europe, in High Wycombe, England. Soon after this assignment, he served as assistant deputy commandant for aviation at Headquarters Marine Corps, Washington, DC. His tour as the deputy commander of U.S. Marine Corps Forces, Atlantic included extended temporary additional duty as the deputy J-3 for current operations at U.S. Central Command in support of Operation Enduring Freedom. General Gardner served as the director for oper-

ations, J3 at U.S. Pacific Command, the deputy commandant for programs and resources at Headquarters, Marine Corps and currently as the director for cost assessment and program evaluation for the Secretary of Defense.

With such an honorable and distinguished career, it is only fitting that I share with you his long list of military awards and decorations which include the Defense Distinguished Service Medal, multiple awards of the Defense Superior Service Medal, Legion of Merit, Defense Meritorious Service Medal, Meritorious Service Medal, Air Medal, Navy Commendation Medal and the Presidential Service Badge.

Under Lieutenant General Gardner's guidance, the Marine Corps expanded its personnel and strengthened its readiness. He led the Marine Corps' efforts to acquire MRAPs and other vital equipment so needed by our marines, soldiers and airmen in Iraq and Afghanistan. As a result of his work, the force has never been stronger and it is his honesty and integrity which both his subordinates and superiors admire. Anyone who knows General Gardner knows of his commitment to lead and mentor young marines, his dynamic and persuasive personality, his careful, thoughtful and precise preparation of all things—mission or brief—and of course, his steadfast and unwavering dedication to the men and women serving in the U.S. Marine Corps.

The history of our great Nation is comprised of men, just like General Gardner, who have so bravely fought for the ideals of freedom and democracy. It is humbling for those of us who, far from the dangers they have faced, live our lives in relative comfort and ease. Today our country owes General Gardner, as well as his wife Vivian, and children Phil, the oldest Nick, a corporal in the Marine Corps who served in Iraq, Christian, a lance corporal who will deploy to Afghanistan in June as a Marine Corps sniper, and Marc who wants to be an engineer, our warmest of thanks and deepest appreciation for all that they have done. I offer my sincerest gratitude for his decades of service and I salute LTG Emerson Gardner as he retires from the U.S. Marine Corps. Semper Paratus!

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)