

ensure that American mining is unquestionably the safest mining industry in the world.

We know the 34 lives lost last year in American mines were 34 too many and remain committed to seeing zero fatalities and injuries in U.S. mining. That is a goal worth striving for, and it is a goal that increasingly appears to be in reach.

HONORING OUR ARMED FORCES

SPECIALIST BRIAN R. BOWMAN

Mr. BENNET. Mr. President, it is with a heavy heart that I rise today to honor the life and heroic service of Army Specialist Brian R. Bowman. Specialist Bowman, a member of the 1st Battalion, 12th Infantry Regiment, 4th Infantry Division at Fort Carson, CO, died on January 3, 2010. Specialist Bowman was serving in support of Operation Enduring Freedom in Ashoq, Afghanistan, and sustained injuries when insurgents attacked his patrol using improvised explosive devices and small weapons. He was 24 years old.

A native of Crawfordsville, IN, Specialist Bowman moved to Fort Carson in 2007 when he was assigned to the 2nd Infantry Regiment. Specialist Bowman joined the Army in August 2006. He was deployed to Afghanistan in May 2009, where he worked as a health care specialist, or combat medic.

During over 3 years of service, Specialist Bowman distinguished himself through his courage, dedication to duty, and willingness to take on any challenge—no matter how dangerous. Commanders recognized his extraordinary bravery and talent, bestowing on Specialist Bowman numerous awards and medals, including the Army Good Conduct Medal, the National Defense Service Medal, and the Afghanistan Campaign Medal with Bronze Service Star.

As a combat medic, Specialist Bowman worked on the front lines of battle, providing emergency first aid and care to his fellow servicemembers. He is remembered by those who knew him as a consummate professional and friend who they could turn to in times of need. Most of all, they remember his devotion to his wife and his country.

Mark Twain once said, "The fear of death follows from the fear of life. A man who lives fully is prepared to die at any time." Specialist Bowman's service was in keeping with this sentiment—by selflessly putting country first, he lived life to the fullest. He lived without fear.

At substantial personal risk, he braved the chaos of combat zones throughout Afghanistan. And though his fate on the battlefield was uncertain, he pushed forward, protecting America's citizens, her safety, and the freedoms we hold dear. For his service and the lives he touched, Specialist Bowman will forever be remembered as one of our country's bravest.

To Specialist Bowman's mother Paula, his father Robert, his wife

Casie, and all his friends and family I cannot imagine the sorrow you must be feeling. I hope that, in time, the pain of your loss will be eased by your pride in Brian's service and by your knowledge that his country will never forget him. We are humbled by his service and his sacrifice.

ADDITIONAL STATEMENTS

REMEMBERING SMITH BAGLEY

• Mrs. BOXER. Mr. President, I ask my colleagues to join me in honoring Smith Bagley, a beloved philanthropist and entrepreneur with an unwavering dedication to improving the lives of others. Mr. Bagley passed away on January 2 due to complications from a stroke. He was 74 years old. Smith will be deeply missed by all he touched, and he touched many.

Smith Bagley was born in Manhattan on April 1, 1935, to Nancy Reynolds Bagley and Henry Walker Bagley. He graduated from Washington and Lee University and served as a captain in the U.S. Army Reserves.

Smith was a successful businessman and chief executive of the cellular telephone company SBI. Passionate about progressive causes, Smith dedicated much of his life to fighting for social justice, human rights, education, and environmental preservation.

Smith served as president of the Arca Foundation, a grant-making trust dedicated to transparency in government and enterprise, diplomacy, and raising the standard of living here and in the developing world.

A champion of education, Smith founded the precursor to Communities in Schools, the Nation's largest dropout prevention program. He was a former trustee of the John F. Kennedy Center Performing Arts. Smith founded a public policy research institute, the Brenn Foundation, and was a board member of the Sapelo Island Research Foundation, a center for environmental research.

Due to his tireless efforts on behalf of the Catholic University of America, Smith was honored with the title of chairman emeritus and presented with the university's highest honor, the President's Medal.

He is survived by his wife of 26 years, former Ambassador to Portugal Elizabeth Frawley Bagley; his six children, Walker Bagley, Nancy Reynolds Bagley, Nicole Ladmer Bagley, Brett Dylan Bagley, Vaughan Elizabeth Bagley, and Conor Reynolds Bagley; a sister, Susan Bagley Bloom; and five grandchildren. My heart goes out to them during this time of grief.

In the words of former President William Jefferson Clinton, who delivered Smith's closing eulogy, "This man, notwithstanding the circumstances in which he was born or the wealth he generated for himself, always found a way to give more than he took."

Smith will be sorely missed, not only by the friends and family who knew

him well but also by those whose lives were made better by his unwavering commitment to equality and justice.●

REPORT RELATIVE TO THE INTERDICTION OF AIRCRAFT ENGAGED IN ILLICIT DRUG TRAFFICKING—PM 41

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations:

To the Congress of the United States:

Consistent with the authorities related to official immunity in the interdiction of aircraft engaged in illicit drug trafficking (Public Law 107-108, 22 U.S.C. 2291-4), as amended, and in order to keep the Congress fully informed, I am providing a report by my Administration. This report includes matters related to support for the interdiction of aircraft engaged in illicit drug trafficking.

BARACK OBAMA.

THE WHITE HOUSE, January 22, 2010.

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 10:16 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker had signed the following enrolled bill:

H.R. 4462. An act to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the earthquake in Haiti.

The enrolled bill was subsequently signed by the President pro tempore (Mr. BYRD).

ENROLLED BILL SIGNED

The PRESIDENT pro tempore (Mr. BYRD) reported that he had signed the following enrolled bill, which had previously been signed by the Speaker of the House:

S. 692. An act to provide that claims of the United States to certain documents relating to Franklin Delano Roosevelt shall be treated as waived and relinquished in certain circumstances.

At 10:33 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1065. An act to resolve water rights claims of the White Mountain Apache Tribe in the State of Arizona, and for other purposes.

H.R. 3250. An act to designate the facility of the United States Postal Service located at 1210 West Main Street in Riverhead, New York, as the "Private First Class Garfield M. Langhorn Post Office Building".

H.R. 3254. An act to approve the Taos Pueblo Indian Water Rights Settlement Agreement, and for other purposes.

H.R. 3342. An act to authorize the Secretary of the Interior, acting through the Commissioner of Reclamation, to develop water infrastructure in the Rio Grande

Basin, and to approve the settlement of the water rights claims of the Pueblos of Nambé, Pojoaque, San Ildefonso, and Tesuque.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 158. A concurrent resolution expressing support for the designation of an Early Detection Month for breast cancer and all forms of cancer.

The message further announced that the House agrees to the amendment of the Senate to the bill (H.R. 730) to strengthen efforts in the Department of Homeland Security to develop nuclear forensics capabilities to permit attribution of the source of nuclear material, and for other purposes.

At 4:59 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced the House having proceeded to reconsider the joint resolution (H.J. Res. 64) making further continuing appropriations for fiscal year 2010, and for other purposes, returned by the President of the United States with his objections, to the House, in which it originated, it was resolved that the said joint resolution do not pass, two-thirds of the House of Representatives not agreeing to pass the same.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3250. An act to designate the facility of the United States Postal Service located at 1210 West Main Street in Riverhead, New York, as the "Private First Class Garfield M. Langhorn Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 158. Concurrent resolution expressing support for the designation of an Early Detection Month for breast cancer and all forms of cancer; to the Committee on Health, Education, Labor, and Pensions.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, January 22, 2010, she had presented to the President of the United States the following enrolled bill:

S. 692. An act to provide that claims of the United States to certain documents relating to Franklin Delano Roosevelt shall be treated as waived and relinquished in certain circumstances.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-4283. A communication from the Assistant Secretary of Land and Minerals Management, Minerals Management Service, Department of the Interior, transmitting, pur-

suant to law, the report of a rule entitled "Requirements for Subsurface Safety Valve Equipment" (RIN1010-AD45) received during adjournment of the Senate in the Office of the President of the Senate on January 7, 2010; to the Committee on Energy and Natural Resources.

EC-4284. A communication from the Acting Assistant Director of Directives and Regulations, Forest Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National Forest System Land and Resource Management Planning" (RIN0596-AB86) received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2010; to the Committee on Energy and Natural Resources.

EC-4285. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Certification, Compliance, and Enforcement Requirements for Certain Consumer Products and Commercial and Industrial Equipment" (RIN1904-AA95; RIN1904-AB53) received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2010; to the Committee on Energy and Natural Resources.

EC-4286. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Revised Filing Requirements for Centralized Service Companies Under the Public Utility Holding Company Act of 2005, the Federal Power Act, and the Natural Gas Act, Final Rule" ((Docket No. RM09-21-000)(Order No. 731)) received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2010; to the Committee on Energy and Natural Resources.

EC-4287. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, status reports relative to Iraq for the period of October 15, 2009, through December 15, 2009; to the Committee on Foreign Relations.

EC-4288. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, an annual report relative to the United States Participation in the United Nations; to the Committee on Foreign Relations.

EC-4289. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, the semiannual report on the continued compliance of Azerbaijan, Kazakhstan, Moldova, the Russian Federation, Tajikistan, and Uzbekistan with the 1974 Trade Act's freedom of emigration provisions, as required under the Jackson-Vanik Amendment; to the Committee on Foreign Relations.

EC-4290. A communication from the Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development, transmitting, pursuant to law, the Agency's response to the GAO report entitled "Contingency Contracting: DOD, State and USAID Continue to Face Challenges in Tracking Contractor Personnel and Contracts in Iraq and Afghanistan"; to the Committee on Foreign Relations.

EC-4291. A communication from the Assistant General Counsel for Regulatory Services, Office of Elementary and Secondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled "School Improvement Grants; American Recovery and Reinvestment Act of 2009 (ARRA); Title I of the Elementary and Sec-

ondary Education Act of 1965, as Amended" (RIN1810-AB06) received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-4292. A communication from the Department of State, transmitting, pursuant to law, a report relative to the transfer of detainees (OSS Control No. 2009-2094); to the Committee on the Judiciary.

EC-4293. A communication from the Department of State, transmitting, pursuant to law, a report relative to the transfer of detainees (OSS Control No. 2009-2097); to the Committee on the Judiciary.

EC-4294. A communication from the Department of State, transmitting, pursuant to law, a report relative to the transfer of detainees (OSS Control No. 2010-0016); to the Committee on the Judiciary.

EC-4295. A communication from the Department of State, transmitting, pursuant to law, a report relative to the transfer of detainees (OSS Control No. 2010-0018); to the Committee on the Judiciary.

EC-4296. A communication from the Department of State, transmitting, pursuant to law, a report relative to the transfer of detainees (OSS Control No. 2010-0046); to the Committee on the Judiciary.

EC-4297. A communication from the Policy Editor, Bureau of Immigration and Customs Enforcement, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safe Harbor Procedures for Employers Who Receive a No-Match Letter: Clarification; Final Regulatory Flexibility Analysis" (RIN1653-AA50) received during recess of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on the Judiciary.

EC-4298. A communication from the General Counsel of the National Tropical Botanical Garden, transmitting, pursuant to law, a report relative to an audit of the Garden for the period from January 1, 2008, through December 31, 2008; to the Committee on the Judiciary.

EC-4299. A communication from the Clerk of Court, U.S. Court of Federal Claims, transmitting, pursuant to law, the Court's annual report for the year ended September 30, 2009; to the Committee on the Judiciary.

EC-4300. A communication from the Director of Regulation Policy and Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Copayments for Medications" (RIN2900-AN50) received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Veterans' Affairs.

EC-4301. A communication from the Director of Regulation Policy and Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Vocational Rehabilitation and Employment Program—Periods of Eligibility" (RIN2900-AM84) received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2010; to the Committee on Veterans' Affairs.

EC-4302. A communication from the Director of Regulation Policy and Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Vocational Rehabilitation and Employment Program—Basic Entitlement; Effective Date of Induction into a Rehabilitation Program; Cooperation in Initial Evaluation" (RIN2900-AN13) received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2010; to the Committee on Veterans' Affairs.