

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

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on April 13, 2010, at 9:30 a.m., to conduct a hearing entitled, "Wall Street and the Financial Crisis: The Role of High Risk Home Loans."

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on April 13, 2010, at 2:30 p.m.

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

SUBCOMMITTEE ON AIRLAND

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Subcommittee on Airland of the Committee on Armed Services be authorized to meet during the session of the Senate on April 13, 2010, at 9:30 a.m.

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

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICE, AND INTERNATIONAL SECURITY

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on April 13, 2010, at 2:30 p.m. to conduct a hearing entitled, "Removing the Shroud of Secrecy: Making Government More Transparent and Accountable Part II."

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

IMPEACHMENT TRIAL COMMITTEE

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Impeachment Trial Committee on the Articles against Judge G. Thomas Porteous, Jr. be authorized to meet during the session of the Senate on April 13, 2010, at 4 p.m.

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

CELL PHONE CONTRABAND ACT
OF 2010

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 269, S. 1749.

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

The assistant legislative clerk read as follows:

A bill (S. 1749) to amend title 18, United States Code, to prohibit the possession or use of cell phones and similar wireless devices by Federal prisoners.

There being no objection, the Senate proceeded to consider the bill which

had been reported from the Committee on the Judiciary with amendments; as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

S. 1749

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Cell Phone Contraband Act of [2009]2010".

SEC. 2. WIRELESS DEVICES IN PRISON.

Section [1791]1791 of title 18, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (4), by striking "or (d)(1)(E)" and inserting ", (d)(1)(E), or (d)(1)(F)"; and

(B) in paragraph (5), by striking "(d)(1)(F)" and inserting "(d)(1)(G)"; and

(2) in subsection (d)(1)—

(A) in subparagraph (E), by striking "and" at the end;

(B) by redesignating subparagraph (F) as subparagraph (G); and

(C) by inserting after subparagraph (E) the following:

"(F) a phone or other device used by a user of commercial mobile service (as defined in section 332(d) of the Communications Act of 1934 (47 U.S.C. 332(d))) in connection with such service; and";

Mr. BROWN of Ohio. I ask unanimous consent the committee-reported amendments be agreed to, that the Feinstein amendment which is at the desk be agreed to, the bill, as amended, be read a third time and passed, the motions 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 committee amendments were agreed to.

The amendment (No. 3722) was agreed to, as follows:

(Purpose: To require a GAO study of cell phone use in prisons)

At the end of the bill, insert the following:

SEC. ____ . GAO STUDY.

Not later than 90 days after the date of enactment of this Act, the Comptroller General shall submit a report to Congress with research and findings on the following issues:

(1) A study of telephone rates within State and Federal prisons and jails to include information on interstate, intrastate and collect calls made by prisoners, including—

(A) the costs of operating inmate telephone services;

(B) the revenue obtained from inmate telephone systems;

(C) how the revenue from these systems is used by State governments and the Bureau of Prisons; and

(D) recommendations to lower telephone costs to inmates and their families, while still maintaining sufficient security.

(2) A study of State and Federal efforts to prevent the smuggling of cell phones and other wireless devices into prisons and jails, including efforts that State and Federal authorities are making to minimize trafficking of cell phones by guards and other prison officials and recommendations to reduce the number of cell phones that are trafficked into prisons and jails.

(3) A study of cell phone use by inmates in State and Federal prisons and jails, including—

(A) the cost that inmates pay for cell phones trafficked into prisons;

(B) the quantity of cell phones that are located in State and Federal prisons and jails; and

(C) the quantity of illegal activity that is conducted or facilitated as a result of inmate cell phone use.

The bill (S. 1749), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1749

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Cell Phone Contraband Act of 2010".

SEC. 2. WIRELESS DEVICES IN PRISON.

Section 1791 of title 18, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (4), by striking "or (d)(1)(E)" and inserting ", (d)(1)(E), or (d)(1)(F)"; and

(B) in paragraph (5), by striking "(d)(1)(F)" and inserting "(d)(1)(G)"; and

(2) in subsection (d)(1)—

(A) in subparagraph (E), by striking "and" at the end;

(B) by redesignating subparagraph (F) as subparagraph (G); and

(C) by inserting after subparagraph (E) the following:

"(F) a phone or other device used by a user of commercial mobile service (as defined in section 332(d) of the Communications Act of 1934 (47 U.S.C. 332(d))) in connection with such service; and";

SEC. 3. GAO STUDY.

Not later than 90 days after the date of enactment of this Act, the Comptroller General shall submit a report to Congress with research and findings on the following issues:

(1) A study of telephone rates within State and Federal prisons and jails to include information on interstate, intrastate and collect calls made by prisoners, including—

(A) the costs of operating inmate telephone services;

(B) the revenue obtained from inmate telephone systems;

(C) how the revenue from these systems is used by State governments and the Bureau of Prisons; and

(D) recommendations to lower telephone costs to inmates and their families, while still maintaining sufficient security.

(2) A study of State and Federal efforts to prevent the smuggling of cell phones and other wireless devices into prisons and jails, including efforts that State and Federal authorities are making to minimize trafficking of cell phones by guards and other prison officials and recommendations to reduce the number of cell phones that are trafficked into prisons and jails.

(3) A study of cell phone use by inmates in State and Federal prisons and jails, including—

(A) the cost that inmates pay for cell phones trafficked into prisons;

(B) the quantity of cell phones that are located in State and Federal prisons and jails; and

(C) the quantity of illegal activity that is conducted or facilitated as a result of inmate cell phone use.

CALL TO UGANDA TO REJECT THE PROPOSED ANTI-HOMOSEXUALITY BILL

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 344, S. Res. 409.

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

The legislative clerk read as follows:

A resolution (S. Res. 409) calling on members of the Parliament in Uganda to reject the proposed "Anti-Homosexuality Bill," and for other purposes.

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

Mr. BROWN of Ohio. I ask unanimous consent 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 any statements be printed in the RECORD.

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

The resolution (S. Res. 409) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 409

Whereas a bill introduced on October 14, 2009, by a member of Parliament in Uganda would expand penalties for homosexuality to include the death penalty and requires citizens to report information about homosexuality to the police or face imprisonment;

Whereas many countries criminalize homosexuality, and in some countries, such as Iran, Nigeria, Saudi Arabia, and Sudan, the penalty for homosexuality includes the death penalty;

Whereas the United States, in seeking to promote the core American principles of equality and "Life, Liberty, and the pursuit of Happiness," has long championed the universality of human rights;

Whereas religious leaders in the United States, along with representatives from the Vatican and the Anglican Church, have stated that laws criminalizing homosexuality are unjust; and

Whereas the people and Government of the United States recognize that such laws un-

dermine our commitment to combating HIV/AIDS globally through the President's Emergency Plan for AIDS Relief (PEPFAR) by stigmatizing and criminalizing vulnerable communities: Now, therefore, be it

Resolved, That the Senate—

(1) calls on members of the Parliament in Uganda to reject the "Anti-Homosexuality Bill" recently proposed in that country;

(2) urges the governments of all countries to reject and repeal similar criminalization laws; and

(3) encourages the Secretary of State to closely monitor human rights abuses that occur because of sexual orientation and to encourage the repeal or reform of laws such as the proposed "Anti-Homosexuality Bill" in Uganda that permit such abuses.

ORDERS FOR WEDNESDAY, APRIL 14, 2010

Mr. BROWN of Ohio. I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. Wednesday, April 14; 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 the Senate then observe a moment of silence in solidarity with the people of Poland; that following the moment of silence, the Senate proceed to a period of morning business with Senators permitted to speak on the topic of Poland; that following those statements, there be a period of morning business for 1 hour with Senators permitted to speak therein for up to 10 minutes each, with the Republicans controlling the first 30 minutes and the majority controlling the final 30 minutes; that following morning business, the Senate resume consideration of H.R. 4851, the Continuing Extension Act, as provided for under the previous order.

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

Mr. BROWN of Ohio. Before finalizing the end of the day, I would add that in support of this resolution we will discuss tomorrow, in 1991, working for

Ohio State University, I spent some time in Poland working with their government to transition from communism to democracy. And my friend Tomaz, who is a Polish academician, later rose to be the Minister of Culture in Poland. He was on that plane. I miss him. I had not seen him in years. But I miss him and the contribution he made to Poland and to our country in the work we did together on cultural issues, and certainly support this moment of silence and ask that we all remember the terrible thing that happened to so many of the leaders in Poland and what that means for how we have to come together and assist that country as it moves forward in another crisis that the great 38 million people of Poland face day after day.

PROGRAM

Mr. BROWN of Ohio. Mr. President, when the Senate convenes tomorrow, we will observe a moment of silence to express the Senate's solidarity with the people of Poland.

Following morning business, the Senate will resume consideration of the Continuing Extensions Act. Under a previous order, if a point of order is raised against the pending Baucus amendment, then at 12:30 p.m. the Senate will proceed to a rollcall vote on the motion to waive the applicable point of order.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BROWN of Ohio. 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 7:12 p.m., adjourned until Wednesday, April 14, 2010, at 9:30 a.m.