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Senate

The Senate met at 9:31 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Today, O God, bring our Senators' hearts and minds into harmony with Your will, so that they may be assured that their lives are fulfilling Your high purpose. Give them the incentives they need, the trust that is essential, and the joy that is possible as they face the duties and opportunities that lie ahead. Lord, inspire them with the wisdom to correctly use the great power You have given them, so that they and others may be blessed. Bless them with Your maximizing power for the challenges, decisions, and responsibilities of this day. We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 14, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator

from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

MOMENT OF SILENCE

Mr. REID. Today, with this moment of silence, we are going to honor the people of Poland because of the tragedy that occurred there a few days ago. I extend my deepest condolences to the people of Poland. That plane carried 96 souls—parents, husbands, wives, and friends. It carried that nation's President, its First Lady, its Deputy Foreign Minister, lawmakers, and so many other military and civilian leaders. It is hard to comprehend. The tragedy and loss is unthinkable, and America grieves alongside our friends in Poland.

I also want to commend Senators DURBIN and JOHANNIS for taking the lead on a resolution expressing sympathy for the people of Poland. With this resolution, the Senate formally states our condolences for the people of Poland.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now observe a moment of silence in solidarity with the people of Poland.

(Moment of silence.)

The ACTING PRESIDENT pro tempore. I thank the Members of the Senate.

Who seeks recognition? The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, today, following the remarks by Senators re-

garding the tragedy in Poland—and we appreciate very much their being here—there will be a period of morning business for 1 hour, with Senators permitted to speak for up to 10 minutes each. The Republicans will control the first 30 minutes, and the majority will control the final 30 minutes.

Following morning business, the Senate will resume consideration of H.R. 4851, the Continuing Extension Act, with the time until 12:30 p.m. equally divided and controlled between the two leaders or their designees. If a point of order is raised against the pending Baucus amendment, at 12:30 p.m. the Senate will proceed to a vote on the motion to waive the Budget Act.

REFLECTION ON POLAND

Mr. REID. Mr. President, I would like to say, recognizing that she is here, that one of the remarkable moments of my career was a time a number of years ago when we were in Poland. The delegation was led by Senator John Glenn, and we were meeting with a number of dissidents in Poland—people who were fighting against the repression coming from the Soviet Union. Senator Glenn said a few words, and then I asked that Senator MIKULSKI, who is so proud of her Polish heritage, be recognized to say a few words to these freedom fighters in Poland, and it was one of the most remarkable speeches I have ever heard.

She was so powerful, talking about her background in Baltimore, her heritage, and I have never, ever forgotten that speech made by the Senator from Maryland. It was one of the most remarkable statements I have ever heard in my professional career.

EXPRESSING SYMPATHY FOR THE PEOPLE OF POLAND

The ACTING PRESIDENT pro tempore. The Senator from Illinois is recognized.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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S2251

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 479, submitted earlier today.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 479) expressing sympathy for the people of Poland in the aftermath of the devastating plane crash that killed the country's President, First Lady, and 94 other high ranking government, military, and civic leaders on April 10, 2010.

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

Mr. DURBIN. 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 any statements related to the resolution be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 479) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 479

Whereas the United States and Poland are close allies, with a shared bond of history, friendship, and international cooperation;

Whereas Polish immigrants were among the first Jamestown settlers, and Casimir Pulaski immigrated to the United States to fight in the Revolutionary War;

Whereas more than 9,000,000 Americans of Polish descent now reside in the United States, bringing vitality to major metropolitan areas such as Chicago, Detroit, and New York City;

Whereas Polish-Americans have been leaders in all walks of American life;

Whereas the American people stood in support of the Solidarity movement as it fought against the oppression of the communist government of Poland through peaceful means, eventually leading to Solidarity members being elected to office in open democratic elections held on June 4, 1989, events that helped spark the movement to democracy throughout eastern Europe;

Whereas Poland joined the North Atlantic Treaty Organization (NATO) in 1999, joined the European Union in 2004, and has contributed to United States and NATO operations in Iraq and Afghanistan;

Whereas Poland has enjoyed a thriving and prosperous free market democracy since the end of the Cold War;

Whereas the President of Poland Lech Kaczynski and 95 other people, including Poland's First Lady, the deputy foreign minister, dozens of members of Parliament, the chiefs of the army and navy, and the president of the national bank, were tragically killed in a plane crash in western Russia on April 10, 2010;

Whereas President Kaczynski and his colleagues were traveling to Katyn, Russia for a memorial service to mark the 70th anniversary of the Soviet secret police killing of more than 20,000 Polish officers, prisoners, and intellectuals who were captured after the Soviet Union invaded Poland in 1939;

Whereas Anna Walentynowicz, the former dock worker whose firing in 1980 sparked the

Solidarity strike that ultimately overthrew the communist government of Poland, was also killed in the crash;

Whereas Ryszard Kaczorowski, who served as Poland's final president in exile before the country's return to democracy, also perished in the crash;

Whereas Chicago suffered the loss of a respected artist when Wojciech Seweryn, whose father was killed in Katyn, died in the crash;

Whereas Mr. Seweryn recently completed a memorial to the victims of Katyn at St. Adalbert Cemetery in Niles, Illinois, which President Kaczynski planned to visit in May;

Whereas President Barack Obama said, the "loss is devastating to Poland, to the United States, and to the world. President Kaczynski was a distinguished statesman who played a key role in the Solidarity movement, and he was widely admired in the United States as a leader dedicated to advancing freedom and human dignity.";

Whereas Former Solidarity leader and ex-president Lech Walesa said, "Today, we lost part of our intellectual elite in a plane crash. It will take a long time until the wounds of our democracy are healed."; and

Whereas thousands of Poles gathered in the center of Warsaw and elsewhere around the world on Saturday to mourn those killed in the crash and affirm their continued solidarity with the people of Poland: Now, therefore, be it

Resolved, That the Senate—

(1) expresses its deepest sympathies to the people of Poland and the families of those who perished for their profound loss;

(2) expresses strong and continued solidarity with the people of Poland and Polish-American communities in the United States; and

(3) expresses unwavering support for the Government of Poland as it works to address the loss of many key public officials.

Mr. DURBIN. Mr. President, I also want to join Senator REID in acknowledging the cosponsors of this resolution, and I am sure this list will grow as our colleagues come forward and ask to be added, but I thank Senator JOHANNIS for joining me in this effort. I give special thanks to Senator MIKULSKI. We know of her pride in her Polish heritage and we know of her deep respect for the people of Poland and our shared grief over the loss to that great nation. Senators KERRY, VOINOVICH, BROWN of Ohio, CARDIN, and others have also joined me in considering this resolution.

I come to the floor of the Senate, Mr. President, with a heavy heart. I express my sympathy to the people of Poland and to Ambassador Kupiecki who is here representing them. I shared a moment with him earlier this morning and mentioned that when I heard the news of this tragic loss, my thoughts went back immediately to 47 years ago when we lost our President, John Kennedy, and what it meant to our Nation and how devastating it was. This city ground to a halt on that day, and the bells began to peal in the church towers all across Washington every hour on the hour as our Nation reflected on its great loss. It was a time of great sadness, as it should have been in our history, and as I am sure it is now in Poland, as people reflect on the morning of Saturday, April 10, when a plane carrying Polish President Lech

Kaczynski, his wife Maria, and 94 other high-ranking government, military and civilian leaders crashed while traveling to a memorial service in Russia that was to recognize and memorialize the dreadful Katyn massacre.

The tragic accident is a devastating loss to the Nation of Poland and to their friends around the world. This photo I brought to the floor shows literally thousands of Poles who gathered in Warsaw on Saturday evening to remember those who died. They were outside St. John's Cathedral in Warsaw grieving for the loss of their President and so many leaders of their nation.

The pain of this sad moment is felt around the world but especially in the city of Chicago, which I am honored to represent. It is home to more Polish American families than anywhere else in the United States. And what a proud heritage they bring to our city, our State, and our Nation; what a contribution they have made. The grief they feel today is a grief we share.

Yesterday, as I mentioned, my fellow Senators joined me in offering this resolution. The United States and Poland share a strong bond of history, friendship, and international cooperation. Polish Americans have become leaders in all walks of life. In the Senate, Senator MIKULSKI and others of Polish heritage have shown that their contribution to America continues to this day. We joined with Poland in our Revolutionary War, and we are so grateful for those Poles who, like Casimir Pulaski and others, stepped forward and joined us in our effort to gain independence. When the time came many decades later, and Poland was seeking its own independence after the Solidarity movement, the United States stood by their side.

We know President Kaczynski was part of that effort, and we know he was in fact interred in prison because he fought for democracy in Poland. He was respected throughout his country for the role he played and the leadership he brought to this modern, free, democratic Poland today. We have stood by Poland as the Solidarity movement grew into a strong, vibrant democracy. We have supported Poland's membership in NATO, so that we are joint allies in an effort to defend the values we share and in the European Union where they have become a modern economy and a major leader in Europe. Poland also stood by the United States as well in our efforts in Iraq and Afghanistan.

As Poles struggle to come to terms with this week's tragedy, the United States will stand with them and will support their government as it works to overcome the loss of so many of its great leaders.

President and Mrs. Kaczynski and their delegation were on a mission to try, so many years later, to close a deep wound to the Polish people of the Katyn massacre of World War II, where more than 20,000 Poles were executed by Soviet secret police and buried in

mass graves in that forest. As the Ambassador said to me this morning, that Katyn Forest is a holy and a cursed place because now this tragedy is added onto the memory of the loss that took place so many years ago.

Russia and Poland have begun to deal with this tragedy, and that is a positive thing. Russian Prime Minister Vladimir Putin recently joined Polish Prime Minister Donald Tusk at a ceremony marking that tragedy. Prime Minister Putin—the first Russian leader to attend that memorial service—said:

We bow our heads to those who bravely met death here.

This was the beginning of the closure of a critical chapter in the history of those two nations. This is the beginning of healing, which is long overdue. Sadly, the Katyn tragedy has now been compounded by the loss of so many of Poland's leaders who were destined to head to this location in memory of those who had fallen.

Aboard the plane were some of Poland's highest military and civilian leaders—the Deputy Foreign Minister, the Chiefs of the Army and Navy, the president of the national bank, and dozens of Members of Parliament. Two prominent civilian leaders aboard the plane were Wojciech Seweryn and Anna Walentynowicz.

Seweryn was an artist from Chicago and an influential member of Chicago's Polish community. Mr. Seweryn's father died at Katyn, and it soon became his life's passion to honor his father's memory with beautiful memorials that he had built in the United States and in the location of the Katyn Forest. What a bitter irony that he would lose his life journeying to this memorial occasion. Throughout his life he brought awareness to the Katyn tragedy. He led an effort in the Chicago area to construct a memorial in remembrance of the Katyn massacre at St. Adalbert Cemetery, which Poland's President Kaczynski was planning to visit in just a few weeks.

Anna Walentynowicz was a famous civilian leader and a former dock worker whose firing in 1980 sparked the Solidarity strike that ultimately overthrew the Polish Communist government. Due in part to her inspiration, Poland has emerged as a thriving and prosperous free market democracy since the end of the Cold War.

Poland shares a state partnership program with my home State's National Guard, a partnership that has been in place since shortly after the fall of the Berlin Wall. It is one of the many partnerships our Illinois National Guard has with former Warsaw Pact member nations. Since 1993, hundreds of Illinois National Guard members have participated in exchanges with Polish forces in cooperative efforts supporting the conflicts in Iraq and Afghanistan and in other military training and exchanges.

Among those killed in last week's tragedy are officers who were well

known to the Illinois National Guard. Several troops in the Illinois Guard have served under the officers who were on President Kaczynski's aircraft. These fine soldiers are in the thoughts of all the people of Illinois and the 13,000 men and women of the Illinois National Guard today.

On Saturday I visited the Polish Consulate in Chicago to pay my respects and leave my regards in the condolence book. People were starting to flock to this site, people in Chicago, driving with Polish flags proudly displayed over their vehicles, to come to this consulate to express their own sorrow for this loss, to join in the long line signing the condolence book, and to leave flowers at the flagpole bearing the Polish flag right outside of the consulate.

I have such admiration for the people of Poland who have endured so many trials and struggles. What has brought them through time and again is faith and family, and those two enduring qualities will help them as they try to cope with this massive crisis that is facing their country.

As the ambassador said to me this morning, there is no doubt that Poland will emerge strong; that this government is going to be stable; that it is going to move forward. He can count as well that we will be at his side and the side of the people of Poland as they rebuild their government and their nation from this tragedy.

I urge my colleagues to join me in co-sponsoring of this measure and support passage of the resolution which we just considered on the floor of the Senate.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska is recognized.

Mr. JOHANNIS. Mr. President, let me start my comments today by thanking the senior Senator from Illinois. It has been an honor to join with him on this important resolution.

I rise today to pay my respects to the people of Poland, to acknowledge the great work of their President, President Lech Kaczynski, to acknowledge the death of his wife and 94 other Poles who died in the plane crash in western Russia this last Saturday, April 10.

They were traveling to Katyn, Russia for a memorial service to mark the 70th anniversary of the Soviet killing of more than 20,000 Polish officers in 1940.

Among the Polish leaders killed in the plane crash last Saturday were dozens of members of Parliament, revolutionary heroes from 1989, senior military commanders, and the president of the national bank. This is a terrible, heartbreaking loss, not just for Poland but for its close friend and ally, the United States.

The tight bond that has been forged between Poland and this country has been one of the most welcome results of the end of the Cold War. Since the fall of communism, in which the Polish Solidarity movement played a major

role, Poland has led the way in building a pro-United States free market democracy. Poland's access to NATO in 1999 has led to invaluable Polish contributions to peace and stability around our world. Polish soldiers have fought side by side with Americans in Iraq and Afghanistan, including in key coalition leadership positions. We have suffered together when our troops took casualties, and today we grieve together.

The foundation of our close partnership was laid by many Polish immigrants to America. Today, over 9 million Americans of Polish descent reside in the United States, including the State of Nebraska. I am very proud to be one of them. My grandparents immigrated here from Poland many decades ago.

The Polish are an important part of this great country and have been since the earliest days of our Nation when they helped settle Jamestown, VA. I am very pleased to introduce this resolution along with the senior Senator from Illinois. The senior Senator may not know this, but he represents some of my relatives in Chicago, and represents them well. I joined with him and all of our colleagues in a moment of silence, as we have done today. I want to pay our respects to the Poles, both in this part of the country and across this great Nation, as well as in Poland. I also acknowledge the great contributions they have made to our country.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland is recognized.

Ms. MIKULSKI. Mr. President, I, too, join with my colleagues to rise to express my deep and heartfelt condolences to the people of Poland on this unbelievable and tragic loss. I thank my colleague Senator DURBIN for organizing this time, joined by Senator JOHANNIS of Nebraska.

As one who notes the Senate floor today, I see we stand here not as Democrats and not as Republicans but as Americans who want to extend our heartfelt sympathy to the people of Poland. I thank my colleague for organizing this resolution and for all of his efforts in support of Poland—from the years of trying to get the truth out about the Katyn Forest, to his very able and unstinting efforts to bring Poland into NATO and to advance Polish democracy. I thank him.

I rise here today as a granddaughter of a woman who came from Poland over 100 years ago, when women did not even have the right to vote. When she got off of that boat at Fells Point in Baltimore she was a 16-year-old girl in search of the American dream. Little did she dream that less than 100 years later, her granddaughter would stand on the floor of the Senate, advocating for democracy in Poland, righting the wrongs of World War II. And little did I realize, with the great honor the people of Maryland have given to me, that

I would stand on the floor of the Senate and express sympathy at this tragedy of unimaginable magnitude.

Poland has suffered a loss where the wounds might not ever heal. The facts are now well known. Poland lost their President, Lech Kaczynski, a great leader with a lifetime of service to this country.

The Polish people lost their First Lady, Maria, beloved by the people for her good works and her good deeds. More than 90 other dedicated Polish patriots perished that terrible Saturday morning—esteemed and decorated military officers, the equivalent of our Joint Chiefs; experienced diplomats; elected leaders; the head of their central bank, and citizens who have put their lives on the line for Poland. All were Polish patriots. My heart weeps for the terrible loss and for the people of Poland.

We know the terrible story of the Katyn massacre that brought them to this site, this unbelievable site for the last 70 years saturated with incredible melancholy. In the spring of 1940, the Soviet secret police executed over 20,000 Polish prisoners of war—20,000 Polish military officers. Then there were other intellectuals from law, from science, from medicine. A whole generation of Polish patriots and lenders was murdered in that terrible place, people who died for Polish freedom.

Part of Stalin's efforts to destroy the Polish people was to destroy its leaders. The Nazis then continued what Stalin had begun. Then the world—after a brutal war, the terrible death camps—at Yalta and Potsdam the West abandoned Poland, and Poland, against its will, was forced behind the Iron Curtain.

What do we know about the Polish people? Their nation never dies because their nation does live not only in a government, not only now under a rule of law and a constitution that is serving them so well at this troubled time, but Poland lives within the hearts of its people. No massacre, no Iron Curtain, could ever take it away from them.

During those dark years when Poland continued to be under Soviet domination, there were those who worked to tell the story of what happened at Katyn. Joining with my colleagues in the Congress, I fought for many years to release the information about that horrific massacre, even contacting President Gorbachev, as part of his glasnost and perestroika, to at least release all the information. Finally, in 1990 they began to do it. But it was only now, last Wednesday, 1 week ago, at the site where the massacre occurred, the Prime Minister of Poland, Mr. Tusk, with Mr. Putin, met in that forest where Putin issued a formal apology to the Polish people and said all information and archives would be open.

We were so filled with joy. It was a time of great reconciliation. That is what Saturday was about, it was the

continuation of a great and grand reconciliation between these nations.

Kaczynski traveled to bring the leadership there. In the leadership were people who had been trail blazers. Mr. Kaczynski himself had been a member of Solidarity, his wife solidly at his side. And now, as he was President of Poland, forging new relationships, mending the wounds with the Jewish community, it was a time of Polish leadership reaching out to the world in efforts of reconciliation. In this case, Russia reached back.

One of the people who died—it was so poignant—was a woman named Anna Walentynowicz. She was in many ways the Rosa Parks of Solidarity movements. She was a crane operator in the Gdansk shipyard. They fired her for trying to form a union and when Anna stood up, so did Lech Walesa, and Solidarity was born. When he leapt over that wall he took the whole world with him. Down it came, after years of martial law and occupation. We had Solidarity and then ultimately a free Poland.

At this time of great tragedy as we honor those who died in the forest in 1940, and those who died in the forest on Saturday, we can see that hopefully some good would come out of this. It has been a triple tragedy—the massacre of 1940, the coverup by the Soviet Union, and now the Saturday airplane crash. But out of this we hope would come a new sense of cooperation. I acknowledge that the Russian Government has been working with the Polish Government to recover the bodies and send them home with dignity and honor. Their promises of a complete investigation seem to be unfolding and they have invited Polish officials to join with them, side by side.

We hope out of this tragedy might further come other acts of great reconciliation. That is what we need to think about, how Poland continues to move the world to peace and to reconciliation.

I want to acknowledge the people from Poland and what they did for the United States. Pulaski helped fight in our Revolution. Kosciuszko built West Point, was one of the architects of the American Revolution. When he went back home to help Poland be free, he left money with Thomas Jefferson to fight for the abolition of slavery.

Through all of the wars, Poland has always been on the side of the West. During World War II, those who would escape from Poland led the armies in exile. They were at Monte Cassino, they flew in the Kosciuszko Squadron with the RAF, they have been at our side in Iraq and Afghanistan. Wherever there is a fight to be made for freedom, the Poles are there and they need to know, when they make those fights, the United States of America is with them.

For those who died on Saturday in that terrible, melancholy forest, our hearts go with them. To the people of Poland we express our sympathy, but

we also express our pride in their stalwart, unrelenting, unflinching commitment to peace and justice in their own country and in the world.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, I thank the Senator from Maryland. She is of proud Polish heritage. When she spoke of her grandmother coming to Fells Point in Baltimore, I couldn't help but think of my grandmother coming to that same place, 99 years go, from Lithuania, to become part of this American family. I would like to acknowledge, too, on behalf of many who followed her, our gratitude to Poland over the years. Poland was first to democracy in the region, and stood by the Baltic States, particularly Lithuania, their neighbor, as they reached their own level of democracy and freedom.

The Senator from Maryland will be heartened to know that we have just been notified by the cloakrooms that all 100 Senators have asked to be added as cosponsors of this resolution, to show our solidarity with the people of Poland.

I thank the ambassador for his attendance this morning and hope he will express to his government and the people of his country our profound grief at his loss and our determination that our strong friendship with Poland continues.

I yield the floor and suggest the absence a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The minority leader is recognized.

FINANCIAL REFORM

Mr. McCONNELL. Mr. President, yesterday morning I came to the floor to point out, regretfully, that the financial regulatory bill the Democratic majority plans to introduce in the coming days is fatally flawed. It not only allows endless bailouts for Wall Street, it institutionalizes them, making them official government policy. This is truly astonishing. For nearly 2 years, the American people have been telling us that any financial reform should have two goals: It should prevent the kind of crisis we experienced in the fall of 2008, and it should ensure that the biggest Wall Street banks pay for their own mistakes—the biggest Wall Street banks pay for their own mistakes. Yet