

Mercury and Pluto, and which play valuable roles in understanding the Sun's impact on Earth's atmosphere. These contributions to understanding and exploring our universe cannot be overstated. They are major achievements that will lead to decades of scientific study and achievement.

So as Dr. Roca comes to the end of his tenure, I want to thank him for his tireless service, his devotion to excellence, his dedication to the mission of the Applied Physics Lab, and for his inspired leadership in keeping APL at the cutting edge of keeping our Nation safe and advancing valuable science in hundreds of different areas. We wish you the very best, Dr. Roca, in whatever the next chapter in your professional life holds for you. Wherever that takes you, know that you will always and forever be a member of the Maryland family.●

#### TRIBUTE TO DOROTHY CLARA KRALICEK AND DELLA MARIE GOEGEN

● Mr. THUNE. Mr. President, today I wish to recognize Dorothy Clara Kralicek and Della Marie Goegen.

Dorothy and Della were born on April 8, 1920, at the family farm near Menominee, NE, where they learned about the true riches of family life. Today, they both live in Yankton, SD, continuing to pass along family values and faith as matriarchs of their vast families. Between them, they have 18 children and numerous grandchildren.

Dorothy and Della are both excellent homemakers and have recently enjoyed traveling together to several sites in Europe. On Mother's Day, May 9, 2010, both ladies will be honored by a gathering of family and friends in Sioux Falls, SD.

This honorable recognition is clearly well deserved. Dorothy and Della's dedication to their families is a shining example of the steadfast commitment, devotion, and inspiration they have freely given to everyone throughout their lives.

It gives me great pleasure to commemorate the 90th birthdays of Dorothy and Della and to wish them continued health and happiness in the years to come.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, 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 Committee on Armed Services.

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

#### PROPOSED AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF AUSTRALIA CONCERNING PEACEFUL USES OF NUCLEAR ENERGY—PM 52

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:*

I am pleased to transmit to the Congress, pursuant to sections 123b. and 123d. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(b), (d)) (the "Act"), the text of a proposed Agreement between the Government of the United States of America and the Government of Australia Concerning Peaceful Uses of Nuclear Energy. I am also pleased to transmit my written approval, authorization, and determination concerning the Agreement, and an unclassified Nuclear Proliferation Assessment Statement (NPAS) concerning the Agreement. In accordance with section 123 of the Act, as amended by title XII of the Foreign Affairs Reform and Restructuring Act of 1998 (Public Law 105-277), a classified annex to the NPAS, prepared by the Secretary of State in consultation with the Director of National Intelligence, summarizing relevant classified information, will be submitted to the Congress separately. The joint memorandum submitted to me by the Secretaries of State and Energy and a letter from the Chairman of the Nuclear Regulatory Commission stating the views of the Commission are also enclosed.

The proposed Agreement has been negotiated in accordance with the Act and other applicable law. In my judgment, it meets all applicable statutory requirements and will advance the nonproliferation and other foreign policy interests of the United States.

The proposed Agreement provides a comprehensive framework for peaceful nuclear cooperation with Australia based on a mutual commitment to nuclear nonproliferation. The Agreement has an initial term of 30 years from the date of its entry into force, and will continue in force thereafter for additional periods of 5 years each, unless terminated by either party on 6 months' advance written notice at the end of the initial 30-year term or at the conclusion of any of the additional 5-year periods. The proposed Agreement permits the transfer of information, material, equipment (including reactors), and components for nuclear research and nuclear power production. It does not permit transfers of Restricted Data, sensitive nuclear technology, sensitive nuclear facilities, or major critical components of such facilities. In the event of termination of the proposed Agreement, key nonproliferation conditions and controls continue with respect to material,

equipment, and components subject to the proposed Agreement.

Australia is a non-nuclear weapon state party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). Australia has concluded a Safeguards Agreement and Additional Protocol with the International Atomic Energy Agency. Australia is a party to the Convention on the Physical Protection of Nuclear Material, which establishes international standards of physical protection for the use, storage, and transport of nuclear material. It is also a member of the Nuclear Suppliers Group, whose non-legally binding guidelines set forth standards for the responsible export of nuclear commodities for peaceful use. A more detailed discussion of Australia's domestic civil nuclear activities and its nuclear nonproliferation policies and practices, including its nuclear export policies and practices, is provided in the NPAS and the NPAS classified annex submitted to the Congress separately.

I have considered the views and recommendations of the interested agencies in reviewing the proposed Agreement and have determined that its performance will promote, and will not constitute an unreasonable risk to, the common defense and security. Accordingly, I have approved the Agreement and authorized its execution. I urge the Congress to give it favorable consideration.

This transmission shall constitute a submittal for purposes of both sections 123b. and 123d. of the Act. My Administration is prepared to begin immediately the consultations with the Senate Committee on Foreign Relations and the House Committee on Foreign Affairs as provided in section 123b. Upon completion of the 30 days of continuous session review provided for in section 123b., the 60 days of continuous session review provided for in section 123d. shall commence.

BARACK OBAMA.  
THE WHITE HOUSE, May 5, 2010.

#### MESSAGES FROM THE HOUSE

At 10:25 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 24. An act to redesignate the Department of the Navy as the Department of the Navy and Marine Corps.

At 1:13 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that pursuant to Executive Order No. 12131, and the order of the House of January 6, 2009, the Speaker appoints the following Members of the House of Representatives to the President's Export Council: Ms. LINDA T. SANCHEZ of California, Mr. WU of Oregon, and Mr. SCHAUER of Michigan.

At 2:01 p.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 bill, in which it requests the concurrence of the Senate:

H.R. 5160. An act to extend the Caribbean Basin Economic Recovery Act, to provide customs support services to Haiti, and for other purposes.

#### ENROLLED BILL SIGNED

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

H.R. 3714. An act to amend the Foreign Assistance Act of 1961 to include the Annual Country Reports on Human Rights Practices information about freedom of the press in foreign countries, and for other purposes.

#### MEASURES REFERRED

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

H.R. 24. An act to redesignate the Department of the Navy as the Department of the Navy and Marine Corps; to the Committee on Armed Services.

#### 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-5733. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred within the Department of the Army and was assigned case number 06-04; to the Committee on Appropriations.

EC-5734. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Noxious Weeds; Old World Climbing Fern and Maiden-hair Creeper" (Docket No. APHS-2008-0097) received in the Office of the President of the Senate on May 4, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5735. A joint communication from the Secretary of the Department of Agriculture and the Secretary of the Department of Transportation, transmitting, pursuant to law, a report entitled "Study of Rural Transportation Issues"; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5736. A communication from the Secretary of the Air Force, transmitting, pursuant to law, a report relative to the Program Acquisition Unit Cost and the Average Procurement Unit Cost for the C-130 AMP program exceeding the Acquisition Program Baseline values by more than 15 percent; to the Committee on Armed Services.

EC-5737. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, notification of the Department's intent to close the Defense commissary store at Camp Eagle, Korea; to the Committee on Armed Services.

EC-5738. A communication from the General Counsel of the Department of Defense, transmitting a legislative proposal relative to expansion of eligibility for concurrent receipt of military retirement pay and veterans' disability compensation to medically retired service members, received in the Of-

fice of the President of the Senate on April 29, 2010; to the Committee on Armed Services.

EC-5739. A communication from the General Counsel of the Department of Commerce, transmitting proposed legislation relative to Public Works and Economic Development improvement; to the Committee on Environment and Public Works.

EC-5740. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Inpatient Psychiatric Facilities Prospective Payment System Payment—Update for Rate Year Beginning July 1, 2010 (RY2011)" (RIN0938-AP83) received in the Office of the President of the Senate on May 3, 2010; to the Committee on Finance.

EC-5741. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare and Medicaid Programs; Changes in Provider and Supplier Enrollment, Ordering and Referring, and Documentation Requirements; and Changes in Provider Agreements" (RIN0938-AQ01) received in the Office of the President of the Senate on May 3, 2010; to the Committee on Finance.

EC-5742. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicaid Programs; State Flexibility for Medicaid Benefit Packages" (RIN0938-AP72) received in the Office of the President of the Senate on May 3, 2010; to the Committee on Finance.

EC-5743. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report entitled "Report of the Proceedings of the Judicial Conference of the United States" for the September 2009 session and the June 2009 special session; to the Committee on the Judiciary.

#### PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-99. A concurrent resolution adopted by the Senate of the State of Louisiana memorializing Congress to utilize the power of technology to boost American productivity and performance by consulting with state legislatures, education, and computer organizations to ensure that every student has access to a low-cost laptop; to the Committee on Health, Education, Labor, and Pensions.

#### SENATE CONCURRENT RESOLUTION NO. 19

Whereas, the personal computer is an indispensable twenty-first century learning tool; and

Whereas, the decreasing cost of technology makes it possible to equip every student with a portable, personal computer; and

Whereas, low-cost laptops are "twenty-first century textbooks" due to their capacity to store thousands of books and research materials; and

Whereas, computer technology has been shown to improve academic performance, attendance, and enthusiasm in classrooms; and

Whereas, according to a survey by the November 2007 Pew Internet & American Life Project, one-fourth of Americans do not have computers at home; and

Whereas, the "digital divide" most sharply impacts the poor, racial and ethnic minori-

ties, people with disabilities, and residents of rural areas; and

Whereas, attaining universal access to communication technology is a goal spelled out in the 1996 Telecommunications Act; and

Whereas, a nationwide push among state leaders to equip students with laptops promises to fuel a new generation of math, science, and technology innovators; and

Whereas, computer proficiency is increasingly required by employers and institutions of higher learning; and

Whereas, previous technology-focused efforts, such as the Technology Opportunities Program and E-Rate, resulted in newfound information and communication access for millions of students and thousands of schools; and

Whereas, the provision of low-cost laptops for all students would increase learning in core subjects, improve literacy in technology essential for twenty-first century skills, and stimulate creativity, all necessary in reaching the goal of academic excellence in schools as well as developing a technical proficiency at an early age. Therefore, be it

*Resolved*, That the Legislature of Louisiana memorializes the Congress of the United States to utilize the power of technology to boost American productivity and performance by consulting with state legislatures, education, and computer organizations to ensure that every student has access to a low-cost laptop. Be it further

*Resolved*, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. LINCOLN, from the Committee on Agriculture, Nutrition, and Forestry, without amendment:

S. 3307. An original bill to reauthorize child nutrition programs, and for other purposes (Rept. No. 111-178).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 920. A bill to amend section 11317 of title 40, United States Code, to improve the transparency of the status of information technology investments, to require greater accountability for cost overruns on Federal information technology investment projects, to improve the processes agencies implement to manage information technology investments, to reward excellence in information technology acquisition, and for other purposes (Rept. No. 111-179).

By Mrs. BOXER, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 373. A bill to amend title 18, United States Code, to include constrictor snakes of the species Python genera as an injurious animal (Rept. No. 111-180).

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

S. 1421. A bill to amend section 42 of title 18, United States Code, to prohibit the importation and shipment of certain species of carp (Rept. No. 111-181).

S. 1519. A bill to provide for the eradication and control of nutria in Maryland, Louisiana, and other coastal States (Rept. No. 111-182).

S. 1965. A bill to authorize the Secretary of the Interior to provide financial assistance to the State of Louisiana for a pilot program