

Here are the benefits of this amendment:

First, the registration process itself would give CFTC the authority to impose appropriate regulatory requirements as a condition of registration.

Second, a formal registration process would assure that foreign boards of trade all follow the same set of rules.

Third, the registration process would provide a much clearer basis for CFTC decisions to refuse or withdraw permission to foreign boards of trade wishing to allow American traders on their exchange.

Finally, and most importantly, all of CFTC's existing enforcement authorities apply to registered entities under the Commodity Exchange Act.

This amendment would therefore allow CFTC to enforce its own statute with regard to foreign exchanges operating in the United States.

This is a very moderate, practical amendment to assure that we give CFTC the authority to enforce the statutory provisions already in the proposed legislation. It would only provide the CFTC with equivalent authority to that held by virtually all foreign futures regulators—including the British.

I have worked for many years to bring about meaningful regulation of the derivatives markets, and that is why I am so pleased that Senators LINCOLN and DODD have brought forward the strongest derivatives regulatory proposal considered by this Congress.

But as we crack down on traders in our markets, we must be ever vigilant to assure that traders sitting on Wall Street do not avoid our regulations by trading on electronic exchanges with computer servers in London, or Dubai, or Singapore.

This amendment would improve the London loophole provisions in the Dodd-Lincoln bill, by making those provisions more easily enforceable.

It is the final piece necessary to close the London loophole, ensuring that our government has what it needs to protect American markets from manipulation and excessive speculation, no matter where U.S. energy commodities are traded.

I ask my colleagues to support this amendment.

Mr. DODD. Mr. President, I ask unanimous consent that on Wednesday, May 12, following any leader time, the Senate then resume consideration of S. 3217, and that the time until 10 a.m. be for debate with respect to the following three amendments, with the time equally divided and controlled between the leaders or their designees; that at 10 a.m., the Senate proceed to vote in relation to the amendments in the order listed, with no amendments in order to the amendments prior to a vote, with 2 minutes of debate prior to the succeeding votes and with the succeeding votes limited to 10 minutes: Merkley amendment No. 3962, Corker amendment No. 3955, Hutchison-Klobuchar amendment No. 3759, as

modified; provided further, that the next two amendments in order would be the Landrieu-Isakson amendment regarding risk retention and the Snowe-Landrieu amendment No. 3918.

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

#### MORNING BUSINESS

Mr. DODD. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

#### SECRET HOLDS

• Mr. BYRD. Mr. President, I recently declined to sign a letter that is circulating, in which certain Senators pledge not to place "secret" holds on legislation and nominations. The letter features a very broad promise by the signers to refrain from asking the leadership to delay Senate consideration of a matter, without a full public explanation of the request.

When a small minority—often a minority of one—abuses senatorial courtesy and misuses anonymous holds to indefinitely delay action on matters, then I am as adamant as any of my colleagues in insisting that Senators should come to the Senate floor and make their objections known. When abuses of this courtesy have occurred, I have supported efforts by others, and proposed some of my own, to ignore holds after a certain period of time. I am ready to support such efforts again.

But I also believe that there are situations when it is appropriate and even important for Senators to raise a private objection to the immediate consideration of a matter with the leadership and to request a reasonable amount of time to try to have concerns addressed. There are times when Senators put holds on nominations or bills not to delay action but to be notified before a matter is coming to the floor so that they can prepare amendments or more easily plan schedules. These are courtesies afforded to all Senators. In many cases, there is nothing nefarious or diabolical about reasonable requests for holds. Certainly, public disclosures are not necessary every time Senators want to slightly alter the Senate schedule for the coming week. Certainly, public disclosures are not necessary every time Senators request consultation or advanced notification on a matter coming to the floor.

I appreciate that some Senators may be frustrated with what they believe are abuses of the Senate rules, but I also hope that Senators will endeavor to understand—before they suggest pledges or propose less than well-reasoned changes—that the rules, prece-

dents, customs, practices, traditions, and courtesies of the Senate have been forged over hundreds of years and after much trial and experience. After all, the benefit of this experience is to preserve the institutional protection of all Senators and their efforts to fairly represent the people of their States. The Senate is not the House of Representatives and was never intended to function as such. The Senate's purpose is to carefully and critically examine, not to expedite.

Unfortunately, when the Senate rules and customs are abused and Senators become frustrated, it can lead to ill-considered changes, and sometimes the pendulum can swing too far. Let us try to keep the institutional purpose of the Senate uppermost in mind. The Nation certainly requires the extended debate and deliberation that those time-honored rules, precedents, and customs are designed to guarantee. ●

#### LRA DISARMAMENT AND NORTHERN UGANDA RECOVERY ACT

Mr. LEVIN. Mr. President, for more than 20 years, a group called the Lord's Resistance Army, or LRA, has operated in central Africa, perpetrating some of the most horrific acts of violence one can envision. The LRA began as a rebel group saying it drew its guidance from the Ten Commandments, but in the two decades since it began, it has routinely violated those commandments in the most gruesome and unimaginable ways. Its continued campaign of violence calls out for Congress and the United States to act.

Recently the United Nations uncovered the latest of the LRA's violent acts, the rounding up and massacring of more than 100 innocent villagers in a remote part of the Democratic Republic of the Congo. The New York Times reported on May 1 that U.N. officials had learned of the massacre, which occurred in February. U.N. officials interviewed several witnesses, including one woman whose lips were cut off by LRA rebels, who told the woman she was talking too much.

The LRA's actions were described in brutally clear terms in a recent Human Rights Watch report entitled "Trail of Death." In it Human Rights Watch investigators describe the typical tactics, techniques, and procedures of this terrible group of people:

The LRA used similar tactics in each village they attacked during their four-day operation: they pretended to be Congolese and Ugandan army soldiers on patrol, reassured people in broken Lingala (the common language of northern Congo) not to be afraid, and, once people had gathered, captured their victims and tied them up. LRA combatants specifically searched out areas where people might gather—such as markets, churches, and water points—and repeatedly asked those they encountered about the location of schools, indicating that one of their objectives was to abduct children. Those who were abducted, including many children aged 10 to 15 years old, were tied up with ropes or metal wire at the waist, often

in human chains of five to 15 people. They were made to carry the goods the LRA had pillaged and then forced to march off with them. Anyone who refused, walked too slowly, or who tried to escape was killed. Children were not spared.

The LRA got its start in Uganda, where it has done and continues to do horrific damage. At one time, about 2 million Ugandans were displaced from their homes by LRA violence; the rebels massacred, mutilated and abducted civilians, and forced many into sexual servitude; and an estimated 66,000 Ugandan children were forced to fight for the group.

Uganda is still recovering from the LRA's campaign of violence. Having been forced out of Uganda, LRA bands have moved into neighboring nations, including Sudan, the Democratic Republic of the Congo, and the Central African Republic—countries already ravaged by man-made and natural disasters. As the latest report shows, it is still a grave threat. As John Holmes, the U.N. under secretary general for humanitarian affairs, put it, "they are still capable of wreaking absolute havoc—and they still do."

Because of the havoc the LRA has caused across central Africa, I am one of more than 60 Senators who have cosponsored S. 1067, the LRA Disarmament and Northern Uganda Recovery Act, introduced by Senators FEINGOLD and BROWNBACK. The act would require that within 6 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 to provide humanitarian assistance in areas affected by the 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.

This legislation would establish, as a matter of policy, a U.S. commitment to working with regional governments to end the conflict in Uganda and surrounding nations by providing support to multilateral efforts to protect civilians, apprehend top LRA leaders and disarm their followers; providing humanitarian assistance to relieve the immense suffering the LRA has caused; and supporting efforts to promote justice and reconciliation in the region affected by LRA violence.

We have delayed too long in enacting this legislation. The Senate passed this important legislation in March, and the House Foreign Affairs Committee favorably reported the bill to the full House last week. I am hopeful that the committee's approval signals the likelihood of approval by the full House soon. I hope our colleagues in the House will move swiftly to pass this legislation and send it to the President for his signature; to do anything less would be a failure to act with the urgency, and the humanity, that the LRA's campaign of terror demands.

Mr. President, I ask unanimous consent that a recent New York Times article on this incident be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, May 1, 2010]

U.N. SAYS CONGO REBELS KILLED SCORES IN VILLAGE

(By Jeffrey Gettleman)

KISANGANI, CONGO—United Nations officials said Saturday that the Lord's Resistance Army rebel force killed up to 100 people in a previously unreported massacre in the remote northeastern corner of this country.

Details are still emerging of exactly what happened. But according to John Holmes, the United Nations' top humanitarian official, the L.R.A. struck a small village in February, two months after it killed more than 300 people from several villages in the surrounding area.

United Nations investigators have spoken with several witnesses and victims of the massacre in February, including two fishermen who said they saw dozens of bodies.

But the investigators have been unable to reach the exact location because of the difficulties of traveling in one of the most rugged and isolated corners of Africa.

Mr. Holmes said that while recent military operations may have weakened the L.R.A., "they are still capable of wreaking absolute havoc—and they still do."

He said he learned about the February attack on Saturday, when he met with local authorities and victims in Niangara, an old trading post hidden away in the Congolese jungle that has recently been ringed by roving bands of L.R.A. marauders.

One of the people he met was a young woman whose lips had been sliced off last month. She was attacked by rebels while working in her field, she said Saturday, sitting in a hospital bed, her face a mask of gauze and tape.

"They told me I was talking too much," she said.

The L.R.A. has been waging a brutal and bizarre rebellion for more than 20 years, starting in northern Uganda in the late 1980s.

Originally, it said it was guided by the Ten Commandments, but soon it was breaking every one, massacring and mutilating civilians and becoming notorious for kidnapping young children and turning them into 4-foot-tall killing machines.

The Ugandan Army eventually drove the L.R.A. out of Uganda but the rebels simply marched into neighboring northeastern Congo, where they set up bases in isolated areas.

Recently, the Ugandan military has killed dozens of fighters hiding out in Congo and the Central African Republic, though the L.R.A.'s leader, Joseph Kony, who has been indicted by the International Criminal Court on crimes against humanity, is still on the loose.

In the December massacre, the L.R.A. killed more than 300 people in a brutal recruitment campaign near Niangara, in which a few dozen rebel fighters abducted hundreds of civilians, marching them in a human chain from village to village. Along the way, the fighters beat to death men, women and children they did not want to keep in their ranks.

"For anyone saying that the L.R.A. is finished, I would be careful not to count them out," Mr. Holmes said. "They have an amazing capacity to regenerate themselves, especially by kidnapping children."

NATIONAL ALCOHOL- AND OTHER DRUG-RELATED BIRTH DEFECTS WEEK

Mr. JOHNSON. Mr. President, I rise today in recognition of National Alcohol and Other Drug-Related Birth Defects Week. Substance abuse during pregnancy is the leading known cause of birth defects and mental retardation in the United States. Each year thousands of babies are born with the physical signs and intellectual disabilities related to prenatal substance abuse.

Of all the substances of abuse—including heroin, cocaine, and marijuana—alcohol produces the most serious physical and mental effects in the fetus, according to the Institute of Medicine. Referred to as fetal alcohol spectrum disorders, or FASD, the potential outcomes of alcohol abuse during pregnancy include mental retardation, growth deficits, altered facial characteristics, organ defects, behavioral problems, delayed motor skills, and various learning disabilities.

Researchers estimate that more than 3 million Americans live with an FASD and as many as 40,000 infants are annually born with an FASD. The tragedy of alcohol- and other drug-related birth defects is entirely preventable and must be addressed. We must increase efforts to reach out to all women of childbearing age and connect those most at risk to treatment and counseling services. Increased awareness and education about the effects of substance abuse during pregnancy is the best way to reduce the prevalence of devastating birth defects.

I recently joined Senators MURKOWSKI, INOUE, and LANDRIEU in introducing the Advancing FASD Research, Prevention, and Services Act, in an effort to improve the surveillance, identification, and prevention of FASD. This legislation will make grants available to federally qualified health centers to provide training to health care providers on identifying and educating women who are at risk for alcohol consumption during pregnancy and on screening children for FASD. Through national public and education campaigns, this bill will reach millions and raise awareness of the risks associated with alcohol consumption during pregnancy.

There is no cure for FASD and other drug-related birth defects. Yet the devastating effects are entirely preventable when pregnant women abstain from substance use. It is therefore imperative to reach at-risk women and ensure they have knowledge of the dangers of substance abuse, as well as access to quality reproductive and prenatal care. When we move past the stigma associated with this disease, we can truly help those and their families who are affected get the health, education, counseling, and support services they need and deserve.

I have long supported efforts to put an end to this entirely preventable and destructive disease. In my home State of South Dakota, over 7,800 individuals are suspected of living with an FASD.