

(6) by inserting “or incident” after “accident” each place it appears in subsection (a)(3);

(7) by inserting “or relevant to” after “developed about” in subsection (a)(3);

(8) by inserting “AND INCIDENT” after “ACCIDENT” in the heading for subsection (e); and

(9) by inserting “and incident” in subsection (e) after “each accident”.

(d) CIVIL AIRCRAFT AND MARITIME ACCIDENT INVESTIGATIONS.—

(1) IN GENERAL.—Section 1132 of title 49, United States Code, is amended—

(A) by inserting “or have investigated” in subsection (a)(1) after “investigate”;

(B) by striking “aircraft,” in subsection (a)(1)(A) and inserting “aircraft or a commercial space launch vehicle;”; and

(C) by adding at the end the following:

“(e) AUTHORITY OF BOARD REPRESENTATIVE.—The Board may, with the consent of the Secretary, delegate to the Department of Transportation full authority to obtain the facts of any aviation accident or incident the Board shall investigate, and the on-scene representative of the Secretary shall have the full authority of the Board to, on display of appropriate credentials and written notice of inspection authority, enter property where an aviation accident has occurred or wreckage from the accident is located and do anything necessary to gather evidence in support of a Board investigation, in accordance with such rules as the Board may prescribe.

“(f) MARITIME ACCIDENT INVESTIGATIONS.—The Board may, with the consent of the Secretary of the department in which the Coast Guard is operating, delegate to the Coast Guard full authority to obtain the facts of any maritime accident or incident the Board shall investigate, and the on-scene representative of the Commandant of the Coast Guard shall have the full authority of the Board to, on display of appropriate credentials and written notice of inspection authority, enter property where a maritime accident has occurred or wreckage from the accident is located and do anything necessary to gather evidence in support of a Board investigation, in accordance with such rules as the Board may prescribe.”.

(2) CONFORMING AMENDMENTS.—

(A) The heading for section 1132 of title 49, United States Code, is amended to read as follows:

“§ 1132. Civil aircraft and maritime accident investigations”.

(B) The table of contents for chapter 11 of title 49, United States Code, is amended by striking the item relating to section 1132 and inserting the following:

“1132. Civil aircraft and maritime accident investigations”.

(e) INSPECTIONS AND AUTOPSIES.—Section 1134 of title 49, United States Code, is amended—

(1) by striking “officer or employee of the National Transportation Safety Board—” in subsection (a) and inserting “officer, employee, or designee of the National Transportation Safety Board in the conduct of any accident or incident investigation or study—”; and

(2) by adding at the end of subsection (b)(1) the following: “The Board may download or seize any recording device and recordings and may require specific information only available from the manufacturer to enable the Board to read and interpret any flight parameter or navigation storage device or media on board the accident aircraft. The provisions of section 1114(b) of this chapter shall apply to matters properly identified as trade secrets or commercial or financial information.”; and

(3) by inserting after “component.” in subsection (c) the following: “The officer or employee may download or seize any recording device and recordings, and may require the production of specific information only available from the manufacturer to enable the Board to read and interpret any operational parameter or navigation storage device or media on board the accident vehicle, vessel, or rolling stock. The provisions of section 1114(b) of this chapter shall apply to matters properly identified as trade secrets or commercial or financial information.”.

#### SEC. 5. AVIATION PENALTIES AND FAMILY ASSISTANCE.

(a) FAMILY ASSISTANCE IN COMMERCIAL AVIATION ACCIDENTS.—Section 4113(b)(7) of title 49, United States Code, is amended by striking “months.” and inserting “months and that, prior to destruction of unclaimed possessions, a reasonable attempt will be made to notify the family of each passenger within 60 days of any planned destruction date.”.

(b) FAMILY ASSISTANCE IN COMMERCIAL AVIATION ACCIDENTS INVOLVING FOREIGN CARRIERS.—Section 4131(c)(7) of title 49, United States Code, is amended by striking “accident.” and inserting “accident and that, prior to destruction of unclaimed possessions, a reasonable attempt will be made to notify the family of each passenger within 60 days of any planned destruction date.”.

#### SEC. 6. ACCIDENT-RELATED INFORMATION RELEASE POLICY REPORT.

Within 180 days after the date of enactment of this Act, the National Transportation Safety Board shall submit to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure a report describing the policies, procedures, and guidelines used by the Board in the expedited release of factual accident-related information to victims and their families, Federal, State, and local accident investigators and agencies, private or third party investigation partners, the public, and other stakeholders.

The amendment (No. 4039) was agreed to, as follows:

Amend the title so as to read “A Bill To amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2011 and 2012, and for other purposes.”

#### EXPRESSING SYMPATHY TO AND SOLIDARITY WITH THE REPUBLIC OF KOREA

Mr. DODD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 525, submitted earlier today.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 525) expressing sympathy to the families of those killed in the sinking of the Republic of Korea Ship Cheonan, and solidarity with the Republic of Korea in the aftermath of this tragic incident.

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

Mr. DODD. 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 PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 525) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 525

Expressing sympathy to the families of those killed in the sinking of the Republic of Korea Ship Cheonan, and solidarity with the Republic of Korea in the aftermath of this tragic incident.

Whereas on March 26, 2010, the Republic of Korea Ship (ROKS) Cheonan was sunk by an external explosion in the vicinity of Baengnyeong Island, Republic of Korea;

Whereas of the 104 members of the crew of the Republic of Korea Ship Cheonan, 46 were killed in this incident, including 6 lost at sea;

Whereas on April 25, 2010, the Government of the Republic of Korea commenced a five-day period of mourning for these 46 sailors;

Whereas the Government of the Republic of Korea continues to lead an international investigation into the circumstances surrounding the sinking of the Republic of Korea Ship Cheonan;

Whereas the alliance between the United States and the Republic of Korea has been a vital anchor for security and stability in Asia for more than 50 years; and

Whereas the United States and the Republic of Korea are bound together by the shared values of democracy and the rule of law: Now, therefore, be it

*Resolved*, That the Senate—

(1) expresses its sympathy and condolences to the families and loved ones of the sailors of the Republic of Korea Ship (ROKS) Cheonan who were killed in action on March 26, 2010;

(2) stands in solidarity with the people and the Government of the Republic of Korea in the aftermath of this tragic incident;

(3) reaffirms its enduring commitment to the alliance between the Republic of Korea and the United States and to the security of the Republic of Korea;

(4) urges the continuing full cooperation and assistance of the United States Government in aiding the Government of the Republic of Korea as it investigates the cause of the sinking of the Republic of Korea Ship Cheonan;

(5) urges the international community to provide all necessary support to the Republic of Korea as the Government of the Republic of Korea investigates the sinking of the Republic of Korea Ship Cheonan; and

(6) further urges the international community to fully and faithfully implement all United Nations Security Council Resolutions pertaining to security on the Korean Peninsula, including United Nations Security Council Resolution 1695 (2006), United Nations Security Council Resolution 1718 (2006), and United Nations Security Council Resolution 1874 (2009).

#### REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 111-5

Mr. DODD. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on May 13, 2010, by the President of the United States:

Treaty with Russia on Measures for Further Reduction and Limitation of

Strategic Offensive Arms (Treaty Document No. 111-5.)

I further ask unanimous consent that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

*To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed in Prague on April 8, 2010, with Protocol. The Protocol is an integral part of the Treaty and contains three Annexes. I also transmit, for the information of the Senate, the report of the Department of State and three unilateral statements associated with the Treaty. These unilateral statements are not legally binding and are not integral parts of the Treaty. The Department of State report includes a detailed article-by-article analysis of the Treaty, as well as an analysis of the unilateral statements.

The Treaty will enhance the national security of the United States. It mandates mutual reductions and limitations on the world's two largest nuclear arsenals. The Treaty will promote transparency and predictability in the strategic relationship between the United States and the Russian Federation and will enable each Party to verify that the other Party is complying with its obligations through a regime that includes on-site inspections, notifications, a comprehensive and continuing exchange of data regarding strategic offensive arms, and provisions for the use of national technical means of verification. The Treaty further includes detailed procedures for the conversion or elimination of Treaty-accountable items, and provides for the exchange of certain telemetric information on selected ballistic missile launches for increased transparency.

Additionally, the Treaty creates a Bilateral Consultative Commission that will meet regularly to promote effective implementation of the Treaty regime. This Commission will provide an important channel for communication between the United States and the Russian Federation regarding the Treaty's implementation.

The United States will continue to maintain a strong nuclear deterrent under this Treaty, as validated by the Department of Defense through rigorous analysis in the Nuclear Posture Review. The Treaty preserves our ability to determine for ourselves the composition and structure of our strategic forces within the Treaty's overall limits, and to modernize those forces. The

Treaty does not contain any constraints on testing, development, or deployment of current or planned U.S. missile defense programs or current or planned U.S. long-range conventional strike capabilities.

The Treaty, upon its entry into force, will supersede the Treaty Between the United States of America and the Russian Federation on Strategic Offensive Reductions, signed in Moscow on May 24, 2002.

I urge the Senate to give early and favorable consideration to the Treaty, including its Protocol, and to give its advice and consent to ratification.

BARACK OBAMA,  
THE WHITE HOUSE, May 13, 2010.

#### APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the majority and minority leaders of the Senate and the Speaker and minority leader of the House of Representatives, pursuant to Section 301 of Public Law 104-1, as amended by Public Law 108-349, and further amended by Public Law 111-114, announces the joint re-appointment of the following individuals as members of the Board of Directors of the Office of Compliance: Barbara L. Camens of the District of Columbia and Roberta L. Holzwarth of Illinois.

The Chair, on behalf of the Vice President, pursuant to Public Law 93-642, appoints the Senator from Alaska (Mr. BEGICH) to be a member of the Harry S. Truman Scholarship Foundation Board of Trustees, vice the Senator from Montana (Mr. BAUCUS).

#### ORDERS FOR FRIDAY, MAY 14, 2010

Mr. DODD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., tomorrow, Friday, May 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 resume consideration of S. 3217, Wall Street reform.

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

#### PROGRAM

Mr. DODD. Mr. President, as previously announced, there will be no rollcall votes during Friday's session of the Senate.

#### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. DODD. If there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order.

There being no objection, the Senate, at 8:16 p.m., adjourned until Friday, May 14, 2010 at 9:30 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

MARK FEIERSTEIN, OF VIRGINIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE PAUL J. BONICELLI.

EXPORT-IMPORT BANK OF THE UNITED STATES

OSVALDO LUIS GRATACS MUNET, OF PUERTO RICO, TO BE INSPECTOR GENERAL, EXPORT-IMPORT BANK, VICE MICHAEL W. TANKERSLEY, RESIGNED.

IN THE COAST GUARD

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT AS PERMANENT COMMISSIONED REGULAR OFFICERS IN THE UNITED STATES COAST GUARD IN THE GRADES INDICATED UNDER TITLE 14, U.S.C., SECTION 211:

*To be lieutenant commander*

EMILY S. MCINTYRE

*To be lieutenant*

PETER M. EVONUK  
JUSTIN H. HARPER  
SCOTT J. MCCANN

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be brigadier general*

COL. PAUL H. MCGILLICUDDY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203(A):

*To be colonel*

PASCAL UDEKWU

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

*To be lieutenant colonel*

MARK R. ANDERSON  
TIMOTHY P. DEVINE  
HOWARD M. GUTHMANN II  
TERRY A. HAAG  
BRETT E. LESSEUR  
DERRICK B. WILLSEY

*To be major*

PAUL F. AMPER  
KAREN E.A. BOWMAN  
MARIE A. DANLEY  
JEFFREY E. EERTMOED  
MICHELLE S. FLORES  
IAN R. JOHNSON  
PAMELA R. LECLAIRE  
RANDELL J. NETT  
BETH L. ROACH  
CYNTHIA S. SHEN  
JONATHAN A. SOSNOV

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be colonel*

FRED M. CHESBRO  
HUGH T. CORBETT  
DONALD H. DELLINGER  
WILLIAM C. FRENCH  
LOREN S. FULLER  
ANTHONY L. HALL  
MICHAEL R. HILDRETH  
MARK D. MCCORMACK  
TIMOTHY S. PHEIL  
PAUL W. RAINWATER  
LINDA L. SINGH  
DEREK J. TOLMAN

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be colonel*

MONIQUE C. BIERWIRTH  
ROBERT A. HEDGEPEETH  
MARVIN T. HUNT  
KENNETH L. MCCREARY  
CHRISTOPHER W. RATCHFORD  
JOHN A. STASNEY  
DAVID E. WOOD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

CAROLYN A. WALTZ

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531: