

## AUTHORITY FOR COMMITTEES TO MEET

## COMMITTEE ON ARMED SERVICES

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on February 2, 2010, at 9 a.m.

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

## COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on February 2, 2010, at 2:30 p.m., to conduct a hearing entitled "Prohibiting Certain High-Risk Investment Activities by Banks and Bank Holding Companies."

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

## COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on February 2, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

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

## COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on February 2, 2010.

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

## COMMITTEE ON FINANCE

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on February 2, 2010, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "The President's Fiscal Year 2011 Budget."

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

## COMMITTEE ON FOREIGN RELATIONS

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on February 2, 2010, at 10:30 a.m.

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on February 2, 2010, at 2:30 p.m.

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on February 2, 2010, at 3:30 p.m.

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

## COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I ask unanimous consent that the Com-

mittee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "Hearing on the Nomination of Harold Craig Becker to be a Member of the National Labor Relations Board" on February 2, 2010. The hearing will commence at 4 p.m. in room 430 of the Dirksen Senate Office Building.

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

## COMMITTEE ON RULES AND ADMINISTRATION

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on February 2, 2010, at 10 a.m., to conduct a hearing entitled "Corporate America vs. The Voter: Examining the Supreme Court's Decision to Allow Unlimited Corporate Spending in Elections."

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

## SELECT COMMITTEE ON INTELLIGENCE

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

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

## REAFFIRMING THE CENTRALITY OF FREEDOM OF EXPRESSION AND PRESS FREEDOM

Mr. CASEY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 405 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. 405) reaffirming the centrality of freedom of expression and press freedom as cornerstones of United States foreign policy and United States efforts to promote individual rights, and for other purposes.

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

Mr. CASEY. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion 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. 405) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

## S. RES. 405

Whereas Google announced on January 12, 2010, the mid-December 2009 discovery that it had been victimized by a highly sophisticated and targeted cyber attack on its corporate infrastructure originating from China that resulted in the theft of its intellectual property;

Whereas Google also announced it had evidence to suggest that a primary goal of the attackers was accessing the Gmail accounts of Chinese human rights activists, and that the evidence revealed separate attempts to penetrate Gmail accounts of Chinese human rights activists, journalists, and dissidents in the United States, Europe, and China;

Whereas the targeting of Google is believed to be part of a larger effort to access the computer networks of at least 34 companies, including major financial, defense, media, and technology firms and research institutions in the United States;

Whereas this attack was one in a series of attempts to exploit security flaws and illegally access computer networks of individuals and institutions through the clandestine installation of phishing and malware technology;

Whereas the 2009 "Report to Congress of the US-China Economic and Security Review Commission" stated that "a significant and increasing body of circumstantial and forensic evidence strongly indicates the involvement of Chinese state and state-supported entities" in malicious computer activities against the United States;

Whereas approximately 338,000,000 Internet users in China represent the largest population of Internet users worldwide, and the Government of China employs a sophisticated, multi-layered, and wide-ranging apparatus to curtail Internet freedom, as detailed in the 2009 "Freedom on the Net" report by the Freedom House organization;

Whereas Article 35 of the constitution of the People's Republic of China guarantees freedom of speech, assembly, association, and publication;

Whereas authorities in China employ legal and economic means to coerce Internet service providers, web hosting firms, and mobile phone companies to delete and censor online content and discussions created by Chinese users;

Whereas the Government of China requires domestic Chinese and foreign companies with subsidiaries in China, including Google, to adjust their business practices to allow increased filtering and supervision by the Government of China, restricting content allowed by technology-based products, and censoring data available on search engines;

Whereas, in 2003, the Government of China implemented the Golden Shield Project to control access and information on the Internet on grounds of public safety, including through protocol address blocking, domain name system filtering and redirection, uniform resource locator filtering, packet filtering, connection resets, and other online methods that could amount to censorship of high-value speech;

Whereas the Government of China frequently blocks United States international broadcasting by Radio Free Asia (RFA) and Voice of America (VOA), despite the unimpeded broadcast in the United States of state-run media outlets in China, China Central Television, and China Radio International;

Whereas, as of December 1, 2009, China had imprisoned 24 traditional and online journalists, accounting for nearly 20 percent of all imprisoned journalists worldwide at that time, according to the annual prison census of the Committee to Protect Journalists;

Whereas, following riots in the Xinjiang region of China in July 2009, more than 50 Uighur-language Internet forums were closed and communications were cut in Urumqi, China, and foreign journalists visiting the area were closely monitored by the authorities;

Whereas, during the Summer 2008 Olympics in Beijing, limits were placed on freedom of expression and media coverage, contrary to

previous commitments made by the Government of China to the International Olympic Committee;

Whereas ill-defined charges such as “subversion of the government” and “disseminating rumors” serve as the legal basis to sentence journalists, bloggers, and others who express or disseminate views critical of the Government of China; and

Whereas, on January 21, 2010, Secretary of State Hillary Clinton pledged enhanced United States support for Internet freedom, saying, “We stand for a single internet where all of humanity has equal access to knowledge and ideas . . . countries that restrict free access to information or violate the basic rights of internet users risk walling themselves off from the progress of the next century.”; Now, therefore, be it

*Resolved*, That the Senate—

(1) reaffirms the centrality of freedom of expression and press freedom as cornerstones of United States foreign policy and United States efforts to promote individual rights;

(2) expresses serious concern over ongoing official efforts in many countries to restrict speech and expression, including attempts to censor, restrict, and monitor access to the Internet;

(3) welcomes the diplomatic initiative announced by Secretary of State Hillary Clinton on January 21, 2010, to encourage Internet freedom globally by “supporting the development of new tools that enable citizens to exercise their rights of free expression by circumventing politically motivated censorship . . . with a focus on implementing these programs as efficiently and effectively as possible”;

(4) condemns the far-reaching cyber attacks allegedly launched from China against Google, at least 34 other companies, and numerous individuals discovered in December 2009;

(5) calls on the Government of China to conduct a thorough review of these cyber intrusions, and to make the investigation and its results transparent;

(6) pays tribute to the professional and citizen journalists who persevere in their dedication to report in China;

(7) urges companies to engage in responsible business practices in the face of efforts by foreign governments to restrict the free flow of information by refusing to aid in the curtailment of free expression; and

(8) calls on the President and the Secretary of State to develop means by which the United States Government can more rapidly identify, publicize, and respond to threats against freedom of press and freedom of expression around the world, including through support of new and existing censorship circumvention technology.

#### RECOGNIZING AND HONORING THE GOALS AND CONTRIBUTIONS OF CATHOLIC SCHOOLS

Mr. CASEY. I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 406, which was 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. 406) recognizing the goals of Catholic Schools Week and honoring the valuable contribution of Catholic schools in the United States.

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

Mr. CASEY. I ask unanimous consent that the resolution be agreed to, the

preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 406) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 406

Whereas Catholic schools in the United States have received international acclaim for academic excellence while providing students with lessons that extend far beyond the classroom;

Whereas Catholic schools present a broad curriculum that emphasizes the lifelong development of moral, intellectual, physical, and social values in the young people of the United States;

Whereas Catholic schools in the United States today educate 2,192,531 students and maintain a student-to-teacher ratio of 14 to 1;

Whereas the faculty members of Catholic schools teach a highly diverse body of students;

Whereas the graduation rate for all Catholic school students is 99 percent;

Whereas 97 percent of Catholic high school graduates go on to college;

Whereas Catholic schools produce students strongly dedicated to their faith, values, families, and communities by providing an intellectually stimulating environment rich in spiritual character and moral development; and

Whereas in the 1972 pastoral message concerning Catholic education, the National Conference of Catholic Bishops stated, “Education is one of the most important ways by which the Church fulfills its commitment to the dignity of the person and building of community. Community is central to education ministry, both as a necessary condition and an ardently desired goal. The educational efforts of the Church, therefore, must be directed to forming persons-in-community; for the education of the individual Christian is important not only to his solitary destiny, but also the destinies of the many communities in which he lives.”; Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the goals of Catholic Schools Week, an event cosponsored by the National Catholic Educational Association and the United States Conference of Catholic Bishops that recognizes the vital contributions of thousands of Catholic elementary and secondary schools in the United States; and

(2) commends Catholic schools, students, parents, and teachers across the United States for their ongoing contributions to education, and for the vital role they play in promoting and ensuring a brighter, stronger future for the United States.

#### ORDERS FOR THURSDAY, FEBRUARY 4, 2010

Mr. CASEY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 noon on Thursday, February 4; 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 proceed to executive session to resume consideration of the Smith nomination, as provided for under the previous order.

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

#### PROGRAM

Mr. CASEY. Mr. President, the Senate will not be in session tomorrow in order to accommodate the Democratic issues conference. We were, however, able to reach an agreement to vote at approximately 12:30 p.m. Thursday on confirmation of the nomination of Patricia Smith to be Solicitor for the Department of Labor. Following disposition of the Smith nomination, there will be 2 hours for debate prior to a vote on the motion to invoke cloture on the nomination of Martha Johnson to be Administrator for General Services. Also under the agreement, if cloture is invoked on the Johnson nomination, the Senate would immediately proceed to vote on confirmation. Therefore, there would be up to two additional votes in the 3 p.m. range. So that would mean one vote around 12:30 p.m. and up to two votes around 3 p.m. Thursday.

#### ADJOURNMENT UNTIL THURSDAY, FEBRUARY 4, 2010

Mr. CASEY. 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 7:20 p.m., adjourned until Thursday, February 4, 2010, at 12 noon.

#### NOMINATIONS

Executive nomination received by the Senate:

##### DEPARTMENT OF JUSTICE

MICHELE MARIE LEONHART, OF CALIFORNIA, TO BE ADMINISTRATOR OF DRUG ENFORCEMENT, VICE KAREN P. TANDY, RESIGNED.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate, Tuesday, February 2, 2010:

##### DEPARTMENT OF JUSTICE

ROBERT WILLIAM HEUN, OF ALASKA, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF ALASKA FOR THE TERM OF FOUR YEARS.

WILLIE LEE RICHARDSON, JR., OF GEORGIA, TO BE UNITED STATES MARSHAL FOR THE MIDDLE DISTRICT OF GEORGIA FOR THE TERM OF FOUR YEARS.

##### 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. KORY G. CORNUM

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

##### To be major general

BRIG. GEN. CAROL A. LEE

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

##### To be major general

BRIGADIER GENERAL ERIC W. CRABTREE  
BRIGADIER GENERAL WALLACE W. FARRIS, JR.  
BRIGADIER GENERAL CRAIG N. GOURLEY  
BRIGADIER GENERAL DAVID S. POST  
BRIGADIER GENERAL DONALD C. RALPH  
BRIGADIER GENERAL JON R. SHASTEN  
BRIGADIER GENERAL RICHARD A. SHOOK, JR.