

(A) the international donors conference for Haiti, which will be held in New York on March 22-23, 2010, is an opportunity for Haiti to accelerate and implement long-planned projects and priorities in key infrastructural, economic, and social sectors outlined in a comprehensive national strategy; and

(B) large-scale international assistance provides significant leverage to promote change and reform in Haiti;

(C) the international community should be prepared to fully commit to the outcomes of the New York donors conference, including full disbursement and subsequent implementation;

(5) encourages international financial institutions and international organizations, including the United Nations and the World Bank, to continue their engagement and leadership in support of critical economic and security priorities, including—

(A) economic and social assistance programs;

(B) strengthening Haitian national institutions;

(C) security sector reform;

(D) ensuring fair and legitimate elections; and

(E) supporting political and governance reform;

(6) encourages the International Monetary Fund, the World Bank, and the Inter-American Development Bank, which hold the majority of Haiti's existing external debt obligations, to—

(A) work together to relieve Haiti of its external debt obligations to the multilateral community and bilateral lenders; and

(B) seek considerable new resources for Haiti without adding to Haiti's existing debt obligations, primarily through provision of grants; and

(7) urges the United States Government to ensure unity of effort by assigning a single person to—

(A) coordinate all aspects of United States assistance to Haiti; and

(B) work with Congress to responsibly ensure sufficient appropriations to facilitate the long-term and sustainable recovery, rehabilitation, and development of Haiti.

NOTICE OF HEARING

COMMITTEE ON INDIAN AFFAIRS

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, February 11, 2010 at 2:15 p.m. in room 628 of the Dirksen Senate Office Building to conduct a business meeting to consider the nomination of Lillian A. Sparks to be Commissioner of the Administration for Native Americans, U.S. Department of Health and Human Services.

Those wishing additional information may contact the Indian Affairs Committee at 202-224-2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. MENENDEZ. 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 9, 2010, at 2:30 p.m. in room 406 of the Dirksen Senate Office Building.

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

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Jeff Barham, a detailee in the Senate HELP Committee, be granted the privilege of the floor for the duration of the nomination of Craig Becker.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 561, the nomination of Clifford L. Stanley to be Under Secretary of Defense for Personnel and Readiness and Calendar No. 614, the nomination of Philip Goldberg to be an Assistant Secretary of State for Intelligence and Research.

The legislative clerk read the nominations of Clifford L. Stanley, of Pennsylvania, to be Under Secretary of Defense for Personnel and Readiness, and Philip S. Goldberg, of the District of Columbia, to be an Assistant Secretary of State.

NOMINATION OF PHILIP S. GOLDBERG

Mrs. FEINSTEIN. Mr. President, I support the nomination of Ambassador Philip S. Goldberg to be the Assistant Secretary for Intelligence and Research at the Department of State and urge my colleagues to support this nomination. The Intelligence Committee unanimously approved Ambassador Goldberg's nomination on December 10, 2009.

The Assistant Secretary for Intelligence and Research leads the Bureau of Intelligence and Research at the Department of State, a well-respected analytic agency within the Intelligence Community, known as "INR." INR produces all-source intelligence analysis to advise the Secretary of State and other senior policy officials. INR is as an active participant in the Intelligence Community and contributes to products published by the National Intelligence Council. Its analysts, while far fewer in number than the analysts at the Central Intelligence Agency and the Defense Intelligence Agency, are highly expert in their fields and often improve the quality of coordinated intelligence assessments by challenging the views of other agencies and, if necessary, dissenting from consensus judgments that they believe to be incorrect or unsubstantiated.

One important example of INR's independent minded approach occurred in 2002, when INR dissented from the official judgment of the intelligence community regarding Iraq's weapons of mass destruction program. INR analysts expressed less certainty regarding

the claim that Iraq was reconstituting nuclear weapons, taking a different view on the purpose of Saddam Hussein's pursuit of aluminum tubing. History, of course, proved the INR analysts to be correct, as Iraq was not reconstituting a nuclear weapons program.

As an assistant secretary, Ambassador Goldberg will lead a talented, experienced group of analysts, whose work offers invaluable insights to policymakers at the Department of State and throughout the government. INR analysts produce open source products as well, including reports based on global public opinion polling and foreign media analysis.

INR also serves a critical coordinating function. It is the intermediary between intelligence activities and the Intelligence Community on one hand and foreign policy and U.S. embassies on the other. INR represents the Department of State's perspective within the intelligence community and ensures that the benefits of intelligence activities outweigh any diplomatic risks. Ambassador Goldberg's experience serving in and managing U.S. embassies abroad will be very important as he helps to align intelligence and diplomatic priorities.

Ambassador Goldberg's distinguished 20-year career in the Foreign Service prepares him well for his new position. He served as the charge d'affaires and deputy chief of mission in Santiago, Chile, the chief of mission in Pristina, Kosovo, and in the U.S. embassies in Bogota, Colombia, and Pretoria, South Africa. Ambassador Goldberg is a graduate of Boston University and before joining the Foreign Service he worked for the city of New York.

From 2006 to 2008, Ambassador Goldberg served as the Ambassador to Bolivia during a period of heightened tensions between our two countries. In mid-September 2008, President Evo Morales accused Ambassador Goldberg of supporting opposition forces, declared him persona non grata, and expelled him from the country. The Intelligence Committee carefully reviewed Ambassador Goldberg's conduct in Bolivia. We have found that Ambassador Goldberg acted appropriately during his tenure and followed the policies of the U.S. Government. In fact, an inspector general report on the embassy published in September 2008 gave Ambassador Goldberg and his deputy high marks, stating that "The Ambassador and the deputy chief of mission (DCM) provide clear policy guidance and leadership . . . [They gather] input and advice from their staff, forging an excellent working relationship among all agencies and sections at post."

After Ambassador Goldberg's expulsion from Bolivia, the State Department strongly defended Ambassador Goldberg, both in public press remarks and in internal memoranda. In short, the Intelligence Committee believes that Ambassador Goldberg acted professionally and bears no blame for the Bolivian decision to expel him.

Since June 2009, Ambassador Goldberg has served as the Coordinator for the Implementation of United Nations Resolution 1874, which imposed economic and commercial sanctions on North Korea. In this position, Ambassador Goldberg has relied on sensitive intelligence reporting to build a diplomatic consensus to search North Korean cargo.

President Obama nominated Ambassador Goldberg on October 23, 2009. After completing the pre-hearing procedures, the Intelligence Committee held a confirmation hearing on the nomination on December 1, 2009. As part of the confirmation process, Ambassador Goldberg was asked to complete a Committee questionnaire, pre-hearing questions, and post-hearing questions for the record. The answers he provided have all been posted to the intelligence committee's website. The Senate Foreign Relations Committee also held a hearing on Ambassador Goldberg's nomination on November 19, 2009.

In sum, Ambassador Goldberg will be an asset to INR and to the intelligence community. His management experience leading foreign embassies will serve him well as he takes the helm of INR. His background—particularly his service as a diplomat on four continents—prepares him to address the range of global intelligence questions INR analysts address.

I look forward to working with Ambassador Goldberg as he leads a highly respected and important agency within the intelligence community. I urge the Senate to approve Ambassador Goldberg's nomination.

Mr. REID. Mr. President, I ask unanimous consent that the nominations be confirmed en bloc; that the motions to reconsider be laid upon the table en bloc; that the President be immediately notified of the Senate's action; that any statements relating to the nominations be printed in the RECORD; and that the Senate resume legislative session.

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

The nominations were confirmed.

Mr. REID. Mr. President, it is hard to comprehend we have been working for weeks to get a couple people confirmed—actually four. One is the No. 3 person in the Pentagon. We just got that done, Clifford Stanley. The Secretary of Defense has been waiting for this person, as I have indicated, for weeks and weeks. This man is responsible for making sure the right troops go to Afghanistan and come back from Iraq. We finally got that done.

The nomination of Philip Goldberg I talked about before. He is Secretary Clinton's person to deal with intelligence matters coming before the Department of State. We finally got that done.

The sad part is we have two others on which we have been working. They were held up, we were told, by one Senator, but that is not the way it is. We

have, for example, a woman, Caryn Wagner to be Under Secretary for Intelligence and Analysis with the Department of Homeland Security. That is being held up by the Republicans. No. Again, Secretary Napolitano will have to wait to have, in this vast Department of Homeland Security, someone in charge of intelligence.

What is that about? It is about people trying to destroy our country—homeland security. The most evil people in the world are trying to do harm to Americans in our homeland, but yet we cannot get a person confirmed who has come out of the committee overwhelmingly. They are holding him up because of something no one knows. But we know every day that goes by, the security of this Nation is in jeopardy because of this.

I might note, this person being held up in the Department of Homeland Security, the Senator holding this up, it is my understanding, the junior Senator from Oklahoma, voted for this nomination out of committee. But he is holding it up now because of other matters. He was nice enough to call me and tell me—I did not talk with him, but he called my office to indicate he was going to hold this nomination.

Laura Kennedy, a career member of the senior Foreign Service—her job is going to be to deal with disarmament. It is too bad the United States of America, a nuclear power in the world, does not have a representative of ambassadorial rank to represent the United States at disarmament conferences. How is that one? Why it is being held up has nothing to do with her qualifications or background. It is some other reason.

I have told the President enough is enough. He has the right, as President of the United States, to do recess appointments. It should be done. What is being done to this President is unfair. It has never been done before. We have had to file cloture on many Presidential nominations that President Bush never had to do.

It is very unfortunate that because of the storms that have hit our Nation's Capital, it has been very difficult to get things done. We are not going to be able to bring this up now until next week. Well, we can't do it next week because it is a recess, the Presidents Day recess, and we are out for the week. So we can come back in 10 days or a week and try again. In the meantime, we don't have anyone dealing with disarmament for our country; we don't have someone helping one of the most important offices in the country, which is homeland security, dealing with the intelligence office.

What is that about? Telephone conversations that are picked up about someone trying to come and blow up the Capitol or one of the buildings in New York or Los Angeles or Salt Lake City or Portland or Denver. We have agents who have infiltrated some of these gangs—I will use that term very loosely—these clandestine operations

that are trying to do evil to the people in this country, and we don't have anyone heading that department. It is disgraceful.

The Republicans are holding up these people for reasons that have nothing to do with the background, morality, and competence of these people. They are just holding them up because they want to hold them up. We have had them held up for a number of weeks because they do not like a decision that has been made as to where a building is to be built. The Republicans have backed up the person who has been doing this because he wanted the building built in his State.

I would hope the American people understand what is going on here with this party of no. I have been a person who has gotten along very well in my career, Mr. President, being a very moderate person, trying to be someone who gets along with Democrats and Republicans, but I am obligated to speak out as to what is going on here, and I have only picked two of the numerous people being held up. There are scores of them being held up for reasons that have nothing to do with anything dealing with these people or how they will function once in office.

Frankly, I think the President should recess all of them—all of them. He has been given very little recognition for the importance of the job that he has been doing in trying to find the best people in America to fill these positions. No one can say Democrats did this when we were in the minority. We didn't do this. There were people held up, but this is something that is beyond the pale.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

SMALL BUSINESS PENALTY FAIRNESS ACT OF 2009

Mr. REID. Mr. President, I ask unanimous consent that the Senate Finance Committee be discharged from further consideration of S. 2917 and that the Senate then proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title. The legislative clerk read as follows:

A bill (S. 2917) to amend the Internal Revenue Code of 1986 to modify the penalty for failure to disclose certain reportable transactions and the penalty for submitting a bad check to the Internal Revenue Service, to modify certain rules relating to Federal vendors, and for other purposes.

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

Mr. REID. I ask unanimous consent that the bill be read three times, passed, the motion to reconsider be laid upon the table, and that any statements relating to this matter be printed in the RECORD.