

was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . ANNUAL REPORT ON AWARDING OF FEDERAL CONTRACTS TO CONTRACTORS LISTED ON THE EXCLUDED PARTIES LIST SYSTEM.**

Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report describing during the previous year the extent to which suspended or debarred contractors on the Excluded Parties List System, including those suspended or debarred for failing to make full or timely payments to subcontractors—

(1) continued to receive Federal contracts; or

(2) were granted waivers from Federal agencies from suspension or debarment for purposes of entering into Federal contracts.

**SA 4399.** Mr. CASEY (for Mr. LEAHY (for himself and Mr. LEVIN)) proposed an amendment to the concurrent resolution H. Con. Res. 286, recognizing the 235th birthday of the United States Army; as follows:

Strike all after the resolving clause and insert the following: That Congress—

(1) expresses its appreciation to the members of the United States Army for 235 years of dedicated service; and

(2) honors the valor, commitment, and sacrifice that members of the United States Army, their families, and Army civilians have displayed throughout the history of the Army.

**SA 4400.** Mr. CASEY (for Mr. LEAHY (for himself and Mr. LEVIN)) proposed an amendment to the concurrent resolution H. Con. Res. 286, recognizing the 235th birthday of the United States Army; as follows:

Strike the preamble and insert the following:

Whereas, on June 14, 1775, the Second Continental Congress, representing the citizens of 13 American colonies, authorized the establishment of the Continental Army;

Whereas for the past 235 years, the United States Army's central mission has been to fight and win wars;

Whereas the 183 campaign streamers from Lexington to Iraqi Surge carried on the Army flag are a testament to the valor, commitment, and sacrifice of the brave members of the United States Army;

Whereas members of the United States Army have won extraordinary distinction and respect for the Nation and its Army stemming from engagements around the globe;

Whereas in 2010, the United States will reflect on the contributions of members of the United States Army on the Korean peninsula in commemoration of the 60th anniversary of the Korean War;

Whereas the motto on the United States Army seal, "This We'll Defend", is the creed by which the members of the Army live and serve;

Whereas the United States Army is an all-volunteer force that is trained and ready for any adversary that might threaten our Nation or its national security interests; and

Whereas no matter what the cause, location, or magnitude of future conflicts, the United States can rely on its well-trained, well-led, and highly motivated members of

the United States Army to successfully carry out the missions entrusted to them: Now, therefore, be it

**NOTICE OF HEARING**

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a Business Meeting has been scheduled before the Committee on Energy and Natural Resources. The business meeting will be held on Wednesday, June 30, 2010, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the Business Meeting is to consider S. 3516, a bill to amend the Outer Continental Shelf Lands Act to reform the management of energy and mineral resources on the Outer Continental Shelf, and for other purposes.

For further information, please contact Sam Fowler at (202) 224-7571 or Amanda Kelly at (202) 224-6836.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON THE JUDICIARY**

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on June 28, 2010, at 12:30 p.m., in room SH-216 of the Hart Senate Office Building, to conduct a hearing on the nomination of Elena Kagan to be an Associate Justice of the Supreme Court of the United States.

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

**ISRAEL'S UNDENIABLE RIGHT TO SELF-DEFENSE**

On Thursday, June 24, 2010, the Senate agreed to S. Res. 548, as amended, with its preamble, as amended, as follows:

**S. RES. 548**

Whereas the State of Israel, since its founding in 1948, has been a strong and steadfast ally of the United States, standing alone in its commitment to democracy, individual liberty, and free-market principles in the Middle East, a region characterized by instability and violence;

Whereas the special bond between the United States and Israel, forged through common values and mutual interests, must never be broken;

Whereas Israel has an undeniable right to defend itself against any threat to its security, as does every nation;

Whereas Hamas is a terrorist group, formally designated as a Foreign Terrorist Organization by the Secretary of State, and similarly designated by the European Union;

Whereas Hamas is committed to the annihilation of Israel and opposes the peaceful resolution of the Israeli-Palestinian conflict;

Whereas Hamas took control of the Gaza Strip in 2007 through violent means and has maintained control ever since;

Whereas Hamas routinely violates the human rights of the residents of Gaza, including attempting to control and intimidate political rivals through extra-judicial

killing, torture, severe beatings, maiming, and arbitrary detentions;

Whereas Hamas continues to hold prisoner Israeli Staff Sergeant Gilad Shalit, who was seized on Israeli soil and has been denied basic rights, including contact with the International Red Cross;

Whereas the military build-up of Hamas has been enabled by the smuggling of arms and other materiel into Gaza;

Whereas the Government of Iran has materially aided and supported Hamas by providing extensive funding, weapons, and training;

Whereas since 2001, Hamas and other Palestinian terrorist organizations have fired more than 10,000 rockets and mortars from Gaza into Israel, killing at least 18 Israelis and wounding dozens more;

Whereas approximately 860,000 Israeli civilians, more than 12 percent of Israel's population, reside within range of rockets fired from Gaza and live in fear of attacks;

Whereas in 2007, the Government of Israel, out of concern for the safety of its citizens, put in place a legitimate and justified blockade of Gaza, which has been effective in reducing the flow of weapons into Gaza and the firing of rockets from Gaza into southern Israel;

Whereas according to Michael Oren, the Israeli Ambassador to the United States, "If the sea lanes are open to Hamas in Gaza . . . they will acquire thousands of rockets that will threaten every single citizen in the state of Israel and also kill the peace process. . . . Hamas armed with thousands of rockets not only threatens 7,500,000 Israelis but it's the end of the peace process.";

Whereas the Israeli blockade has not hindered the transfer of approximately 1,000,000 tons of humanitarian supplies into Gaza over the last 18 months to aid its 1,500,000 residents;

Whereas, on May 28, 2010, the "Free Gaza" flotilla, which included the Mavi Marmara and 5 other ships, departed from a port in Turkey and sailed towards Israel's defensive naval blockade of Gaza;

Whereas the sponsor of the flotilla was a Turkish organization, the Humanitarian Relief Foundation;

Whereas the Humanitarian Relief Foundation has aided al Qaeda in the past, "basically helping al Qaeda when [Osama] bin Laden started to want to target U.S. soil," according to statements by a former French counterterrorism official, in a June 2, 2010, Associated Press interview;

Whereas the Humanitarian Relief Foundation has a clear link to Hamas, according to a 2008 order of the Government of Israel, and the Humanitarian Relief Foundation is a member of the Union for Good, a United States-designated terrorist organization created by Hamas leaders in 2000 to help fund Hamas;

Whereas there were at least 5 active terrorist operatives among the passengers on the Mavi Marmara, with affiliations with terrorist groups such as al Qaeda and Hamas, according to the Israel Defense Forces;

Whereas the flotilla's primary aim was to break the Israeli blockade of Gaza, under the guise of delivering humanitarian aid to the residents of Gaza;

Whereas, on May 27, 2010, while the flotilla was moving towards Gaza, one of its organizers admitted, "This mission is not about delivering humanitarian supplies, it's about breaking Israel's siege on 1,500,000 Palestinians," according to news reports;

Whereas based on interviews with Mavi Marmara passengers after the incident, the actual intention of passengers on the Mavi Marmara had been to achieve "martyrdom" at the hands of the Israel Defense Forces;

Whereas Saleh Al-Azraq, a journalist who was aboard the ship, recounted that, "The moment the ship set sail, the cries of 'Allahu Akbar' began . . . It made you feel as if you were going on an Islamic conquest or raid," according to an interview recorded on Al-Hiwar TV on June 4, 2010;

Whereas Hussein Orush, a Humanitarian Relief Foundation official, read from the diary of a dead Mavi Marmara passenger: "The last lines he wrote before the attack were: 'Only a short time left before martyrdom. This is the most important stage of my life. Nothing is more beautiful than martyrdom, except for one's love for one's mother. But I don't know what is sweeter—my mother or martyrdom.'", and also stated, "All the passengers on board the ship were ready for this outcome. Everybody wanted and was ready to become a martyr. . . . Our goal was to reach Gaza or to die trying. All the ship's passengers were ready for this. IHH was ready for this too.", according to an interview recorded on Al-Jazeera TV on June 5, 2010;

Whereas Ali Haider Banjinin, another dead Mavi Marmara passenger, told his family before departing on the flotilla, "I am going to be a martyr, I dreamed about it," according to news reports in Turkey;

Whereas Ali Ekber Yaratilmis, another dead Mavi Marmara passenger, "always wanted to become a Martyr," one of his friends told Al-Hayat Al-Jadida newspaper in an interview on June 3, 2010;

Whereas one female passenger on the deck of the Mavi Marmara stated, "Right now we face one of two happy endings: either martyrdom or reaching Gaza," according to Al Jazeera footage taken prior to the incident;

Whereas the Government of Israel had extended a reasonable offer to transfer the flotilla's humanitarian cargo to Gaza;

Whereas the Mavi Marmara and the other ships of the flotilla ignored repeated Israeli calls to turn around or be peacefully escorted to an Israeli port outside of Gaza;

Whereas, on May 31, 2010, the Israeli Navy intercepted the Mavi Marmara 75 miles west of Haifa, Israel, in an effort to maintain the integrity of the blockade and prevent potential smuggling of arms and other materiel into the hands of Hamas;

Whereas upon the boarding of the Mavi Marmara by the Israeli Navy, the Mavi Marmara's passengers brutally and violently attacked the members of the Israeli Navy with knives, clubs, pipes, and other weapons, injuring several of them;

Whereas the members of the Israeli Navy, under attack and in grave danger, reacted in self-defense and used lethal force against their attackers on the Mavi Marmara, shooting and killing 9 of them;

Whereas the incident has fomented unwarranted international criticism of Israel and its blockade of Gaza;

Whereas in the time since the attack, the United Nations has unjustly criticized the actions of the Government of Israel and called for an investigation of such actions; and

Whereas the actions of the United Nations are undermining Israel's inherent right to self-defense, compromising its sovereignty, and helping to legitimize Hamas: Now, therefore, be it

*Resolved*, That it is the sense of the Senate—

(1) that Israel has an inherent and undeniable right to defend itself against any threat to the safety of its citizens;

(2) to reaffirm that the United States stands with Israel in pursuit of shared security goals, including the security of Israel;

(3) to condemn the violent attack and provocation by extremists aboard the Mavi Marmara, who created a highly destabilizing

incident in a region that cannot afford further instability;

(4) to condemn any future such attempts to break the Israeli blockade of Gaza for the purpose of creating or provoking violent confrontation or otherwise undermining the security of Israel;

(5) to condemn Hamas for its failure to recognize the right of Israel to exist, its human rights abuses against the residents of Gaza, and its continued rejection of a constructive path to peace for the Israeli and Palestinian people;

(6) to condemn the Government of Iran for its role, past and present, in directly supporting Hamas and undermining the security of Israel;

(7) to encourage the Government of Turkey to recognize the importance of continued strong relations with Israel and the necessity of closely scrutinizing organizations with potential ties to terrorist groups.

#### PREDISASTER HAZARD MITIGATION ACT OF 2010

Mr. CASEY. Madam President, I ask unanimous consent that the Senate proceed to Calendar No. 440, S. 3249.

The PRESIDING OFFICER. The clerk will report the title of the bill.

The legislative clerk read as follows:

A bill (S. 3249) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to reauthorize the predisaster hazard mitigation program and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment.

S. 3249

#### SEC. 3. PROHIBITION ON EARMARKS.

*Section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133) is amended by adding at the end the following:*

*"(n) PROHIBITION ON EARMARKS.—*

*"(1) IN GENERAL.—None of the funds appropriated or otherwise made available to carry out this section may be used for congressionally directed spending, as defined under rule XLIV of the Standing Rules of the Senate.*

*"(2) REPORT TO CONGRESS.—If grants are awarded under this section using procedures other than competitive procedures, the Administrator of the Federal Emergency Management Agency shall submit to Congress a report explaining why competitive procedures were not used."*

Mr. CASEY. I ask unanimous consent that the committee-reported amendment be agreed to; the bill, as amended, be read a third time and passed, the motions to reconsider be laid upon the table without intervening action or debate, and that any statements related to the bill be printed in the RECORD.

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

The amendment was agreed to.

The bill (S. 3249), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

#### RECOGNIZING THE 235TH BIRTHDAY OF THE UNITED STATES ARMY

Mr. CASEY. Madam President, I ask unanimous consent that the Judiciary

Committee be discharged from further consideration of H. Con. Res. 286 and the Senate proceed to its immediate consideration.

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

The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 286) recognizing the 235th birthday of the United States Army.

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

Mr. CASEY. I ask unanimous consent that a Leahy-Levin amendment to the resolution, which is at the desk, be agreed to; the concurrent resolution, as amended, be agreed to; that a Leahy-Levin amendment to the preamble, which is at the desk, be agreed to; the preamble, as amended, be agreed to; the motions to reconsider be laid upon the table with no intervening action or debate; and any statements related to the concurrent resolution be printed in the RECORD.

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

The amendment (No. 4399) was agreed to, as follows:

#### AMENDMENT NO. 4399

Strike all after the resolving clause and insert the following: That Congress—

(1) expresses its appreciation to the members of the United States Army for 235 years of dedicated service; and

(2) honors the valor, commitment, and sacrifice that members of the United States Army, their families, and Army civilians have displayed throughout the history of the Army.

The resolution, as amended, was agreed to.

The amendment (No. 4400) was agreed to, as follows:

#### AMENDMENT NO. 4400

Strike the preamble and insert the following:

Whereas, on June 14, 1775, the Second Continental Congress, representing the citizens of 13 American colonies, authorized the establishment of the Continental Army;

Whereas for the past 235 years, the United States Army's central mission has been to fight and win wars;

Whereas the 183 campaign streamers from Lexington to Iraqi Surge carried on the Army flag are a testament to the valor, commitment, and sacrifice of the brave members of the United States Army;

Whereas members of the United States Army have won extraordinary distinction and respect for the Nation and its Army stemming from engagements around the globe;

Whereas in 2010, the United States will reflect on the contributions of members of the United States Army on the Korean peninsula in commemoration of the 60th anniversary of the Korean War;

Whereas the motto on the United States Army seal, "This We'll Defend", is the creed by which the members of the Army live and serve;

Whereas the United States Army is an all-volunteer force that is trained and ready for any adversary that might threaten our Nation or its national security interests; and

Whereas no matter what the cause, location, or magnitude of future conflicts, the