

and shall provide the maximum flexibility to select the manner of compliance.

(B) **REQUIREMENTS.**—If an entity complies with section 303(bb)(1) of the Communications Act of 1934 under subparagraph (A), the entity providing the navigation device to the requesting blind or visually impaired individual shall provide any such software, peripheral device, equipment, service, or solution at no additional charge and within a reasonable time to such individual and shall ensure that such software, device, equipment, service, or solution provides the access required by such regulations.

(4) **USER CONTROLS FOR CLOSED CAPTIONING.**—Such regulations shall permit the entity providing the navigation device maximum flexibility in the selection of means for compliance with section 303(bb)(2) of the Communications Act of 1934 (as added by subsection (a) of this section).

(5) **PHASE-IN.**—

(A) **IN GENERAL.**—The Commission shall provide affected entities with—

(i) not less than 2 years after the adoption of such regulations to begin placing in service devices that comply with the requirements of section 303(bb)(2) of the Communications Act of 1934 (as added by subsection (a) of this section); and

(ii) not less than 3 years after the adoption of such regulations to begin placing in service devices that comply with the requirements of section 303(bb)(1) of the Communications Act of 1934 (as added by subsection (a) of this section).

(B) **APPLICATION.**—Such regulations shall apply only to devices manufactured or imported on or after the respective effective dates established in subparagraph (A).

SEC. 206. DEFINITIONS.

In this title:

(1) **ADVISORY COMMITTEE.**—The term “Advisory Committee” means the advisory committee established in section 201.

(2) **CHAIRMAN.**—The term “Chairman” means the Chairman of the Federal Communications Commission.

(3) **COMMISSION.**—The term “Commission” means the Federal Communications Commission.

(4) **EMERGENCY INFORMATION.**—The term “emergency information” has the meaning given such term in section 79.2 of title 47, Code of Federal Regulations.

(5) **INTERNET PROTOCOL.**—The term “Internet protocol” includes Transmission Control Protocol and a successor protocol or technology to Internet protocol.

(6) **NAVIGATION DEVICE.**—The term “navigation device” has the meaning given such term in section 76.1200 of title 47, Code of Federal Regulations.

(7) **VIDEO DESCRIPTION.**—The term “video description” has the meaning given such term in section 713 of the Communications Act of 1934 (47 U.S.C. 613).

(8) **VIDEO PROGRAMMING.**—The term “video programming” has the meaning given such term in section 713 of the Communications Act of 1934 (47 U.S.C. 613).

Mr. REID. I ask unanimous consent that the committee-reported substitute amendment be considered, that a Pryor amendment which is at the desk be agreed to, the substitute amendment, as amended, be agreed to, the bill as amended be read a third time, passed, the motions to reconsider be laid on the table with no intervening action or debate, and any statements be printed in the RECORD as if read.

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

The committee amendment in the nature of a substitute was agreed to.

The amendment (No. 4603) was agreed to.

(The text of the amendment is printed in today's RECORD under “Text of Amendments.”)

The bill (S. 3304), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

The bill will be printed in a future edition of the RECORD.

RELIGIOUS MINORITIES IN IRAQ

Mr. REID. Mr. President, I ask unanimous consent the Foreign Relations Committee be discharged from further consideration of S. Res. 322 and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 322) expressing the sense of the Senate on religious minorities in Iraq.

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

Mr. REID. Mr. President, I ask unanimous consent that a Levin substitute amendment to the resolution, which is at the desk, be agreed to; the resolution, as amended, be agreed to; that a Levin substitute 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 relating to this measure be printed in the RECORD.

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

The amendment (No. 4604) was agreed to, as follows:

AMENDMENT NO. 4604

(Purpose: In the nature of a substitute to the resolution)

Strike all after the resolving clause and insert the following: That it is the sense of the Senate that—

(1) the United States remains deeply concerned about the plight of vulnerable religious minorities of Iraq;

(2) the United States Government and the United Nations Assistance Mission for Iraq should urge the Government of Iraq to enhance security at places of worship in Iraq, particularly where religious minorities are known to be at risk;

(3) the United States Government should continue to work with the Government of Iraq to ensure that members of ethnic and religious minorities communities in Iraq—

(A) suffer no discrimination in recruitment, employment, or advancement in the Iraqi police and security forces; and

(B) while employed in the Iraqi police and security forces, where appropriate, be assigned to their locations of origin, rather than being transferred to other areas;

(4) the Government of Iraq and the Kurdistan regional government should work towards a peaceful and timely resolution of disputes over territories, particularly those where many religious communities reside;

(5) the United States Government and the United Nations Assistance Mission for Iraq should urge the Government of Iraq to—

(A) implement in full those provisions of the Constitution of Iraq that provide protections for the individual rights to freedom of thought, conscience, religion, and belief and

protections for religious minorities to enjoy their culture and language and practice their religion; and

(B) reduce onerous registration requirements so that smaller religious groups are not disadvantaged in registering;

(6) the Government of Iraq should take affirmative measures to reverse the legal, political, and economic marginalization of religious minorities in Iraq;

(7) the United States Government should assist, consistent with local aspirations and developmental needs, ethnic and religious minorities in Iraq to organize themselves civically and politically to effectively convey their concerns to government;

(8) the United States Government should continue to fund capacity-building programs for the Iraqi Ministry of Human Rights and the independent national Human Rights Commission, and should continue to help reconstitute the minorities committee to make it an effective voice for Iraqi minorities;

(9) the Government of Iraq should direct the Iraqi Ministry of Human Rights to investigate and issue a public report on abuses against and the marginalization of minority communities in Iraq and make recommendations to address such abuses; and

(10) the United States Government should encourage the Government of Iraq and the Kurdistan Regional Government to protect the linguistic and cultural heritage, religious beliefs, and ethnic and religious identities of minority groups, in particular those living in the Nineveh Plain.

The amendment (No. 4605) was agreed to, as follows:

AMENDMENT NO. 4605

(Purpose: In the nature of a substitute to the preamble)

Strike the preamble and insert the following:

Whereas the territory of Iraq, the land of Mesopotamia, has millennia of rich cultural and religious history;

Whereas the Sumerians, Babylonians, and Assyrians thrived within what are now the borders of Iraq;

Whereas the biblical patriarch Abraham was born in Ur, King Hammurabi ruled from Babylon, and Imam Ali, the founder of Shiite Islam, died in Kufa;

Whereas during the 35-year rule of the Baath Party and Saddam Hussein, and despite the Provisional Constitution of 1968 that provided for individual religious freedom in Iraq, the Government of Iraq severely limited freedom of religion, especially for religious minorities, and sought to exploit religious differences for political purposes, leading the United States Government to designate Iraq as a “country of particular concern” under the International Religious Freedom Act of 1998 (Public Law 105-292) because of systematic, ongoing, egregious violations of religious freedom;

Whereas members of religious minority communities of Iraq, both those who have been forced to flee the homeland in which their ancestors have lived for thousands of years and those who remain in Iraq, are committed to maintaining their presence in Iraq and keeping alive their communities’ cultures, heritage, and religions, but threats against them jeopardize the future of Iraq as a diverse, pluralistic, and free society;

Whereas despite the reduction in violence in Iraq in recent years, serious threats to religious freedom remain, including religiously motivated violence directed at vulnerable religious minorities, their leaders, and their holy sites, including Chaldeans, Syriacs, Assyrians, Armenians and other Christians, Sabeans, Mandeans, Yazidis, Baha'is, Kaka'is, Jews, and Shi'a Shabak;

Whereas the March 2010 Report on Human Rights issued by the Department of State identifies "insurgent and extremist violence, coupled with weak government performance in upholding the rule of law" resulting in "widespread and severe human rights abuses" as among the significant and continuing human rights problems in Iraq;

Whereas although violence has impacted all aspects of society in Iraq, there have been alarming levels of religiously motivated violence in Iraq in recent years;

Whereas the United States Commission on International Religious Freedom continues to recommend that the Secretary of State designate Iraq as a "country of particular concern" under the International Religious Freedom Act of 1998, because of the systematic, ongoing, egregious violations of religious freedom in Iraq;

Whereas scores of holy sites in Iraq have been bombed since 2004;

Whereas members of small religious minority communities in Iraq do not have militia or tribal structures to defend them, often receive inadequate official protection, and are legally, politically, and economically marginalized;

Whereas in the Nineveh and Kirkuk governorates, where control is disputed between the Government of Iraq and the Kurdistan regional government, religious minorities have been targeted for abuse, violence, and discrimination;

Whereas before 1951, non-Muslims comprised some 6 percent of the population of Iraq, with Jews as the oldest and largest of these communities, tracing back to the Babylonian captivity of the sixth century BCE, but today the Jewish community in Iraq numbers in the single digits and essentially lives in hiding;

Whereas religious minorities in Iraq, who made up about 3 percent of the population of Iraq in 2003, make up a disproportionately high percentage of registered Iraqi refugees;

Whereas the number of Christians in Iraq was approximately 1,400,000 according to the 1987 Iraqi census but, according to the 2009 Report on International Religious Freedom issued by the Department of State, may now number only 500,000 to 600,000;

Whereas the United States is gravely concerned about the viability of the indigenous Christian communities of Iraq and other religious minority communities, and the possible disappearance of their ancient languages, culture, and heritage;

Whereas the Sabean Mandaean community in Iraq reports that almost 90 percent of its members have fled Iraq, leaving only about 3,500 to 5,000 Mandaeans in Iraq as of 2009;

Whereas the Baha'i faith, estimated to have fewer than 2,000 adherents in Iraq, remains prohibited in Iraq under a 1970 law;

Whereas although hundreds of thousands of Iraqi refugees and internally displaced persons have returned to their areas of origin, the numbers of religious minority returnees to Iraq are disproportionately low; and

Whereas members of religious minority communities of Iraq in diaspora have organized to support their communities in Iraq in ways that also benefit the whole of Iraq society by encouraging the rule of law, enhanced security, employment, education and health services: Now therefore be it

The resolution (S. Res. 322), as amended, was agreed to.

The preamble, as amended, was agreed to.

ORDERS FOR MONDAY, SEPTEMBER 13, 2010

Mr. REID. Mr. President, I ask unanimous consent that when the Senate

completes its business today, it adjourn under the provisions of H. Con. Res. 307 until 2:30 p.m. on Monday, September 13; that following the prayer and the 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; that following any leader remarks, the Senate proceed to a period of morning business until 3:30 p.m., with Senators permitted to speak for up to 10 minutes each; following morning business, the Senate proceed to executive session to consider Calendar No. 552, the nomination of Jane Stranch to be a circuit judge for the Sixth Circuit, as provided under a previous order.

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

PROGRAM

Mr. REID. Mr. President, on that date; that is, Monday, September 13, the filing deadline on the small business jobs bill would be at 3 p.m. that day, all first-degree amendments, and we, on Tuesday, would convene at 10 o'clock a.m.

ORDER OF PROCEDURE

I ask unanimous consent that the cloture vote on the Johans amendment vote occur at 11 o'clock a.m. on Tuesday, September 14.

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

Mr. REID. Mr. President, we will have the judge vote on Monday when we come back; we will have the filing deadline that afternoon at 3 o'clock on the small business jobs bill; that Tuesday we will come in immediately and have no more business, and begin debate on that matter, the small business matter; and the first vote that day would be the cloture vote on the Johans amendment.

Mr. President, first of all, I express my appreciation to the Presiding Officer. We appreciate his being here. This has been a long day. And for those who may not know this, next Tuesday the Presiding Officer's wife is going to have their baby, and she is anxious for him to get home. I am sorry it took so long for us to finish today.

I appreciate, as I always do, the extremely fine work of all of the staff. We are here and we talk, and people on C-SPAN see us. But we are instruments of our staff. They work very hard to make sure that everything works out very well. I am very proud of the staff, Democrats and Republicans. They work so well together. They set an example for the rest of the Senate, frankly. So I appreciate all of their good work.

ADJOURNMENT UNTIL MONDAY, SEPTEMBER 13, 2010 AT 2:30 P.M.

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

The PRESIDING OFFICER. Under the previous order, and pursuant to the provisions of H. Con. Res 307, the Senate stands adjourned until 2:30 p.m., Monday, September 13, 2010.

Thereupon, the Senate, at 10:02 p.m., adjourned until Monday, September 13, 2010, at 2:30 p.m.

NOMINATIONS

Executive nominations received by the Senate:

EXECUTIVE OFFICE OF THE PRESIDENT

JACOB J. LEW, OF NEW YORK, TO BE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET, VICE PETER R. ORSZAG, RESIGNED.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

SCOTT C. DONEY, OF MASSACHUSETTS, TO BE CHIEF SCIENTIST OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, VICE KATHRYN D. SULLIVAN.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

NANCY E. LINDBORG, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE MICHAEL E. HESS, RESIGNED.

OVERSEAS PRIVATE INVESTMENT CORPORATION

KEVIN GLENN NEALER, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2011, VICE SANFORD GOTTESMAN, TERM EXPIRED.

STATE JUSTICE INSTITUTE

WILFREDO MARTINEZ, OF FLORIDA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2010, VICE TOMMY EDWARD JEWELL, III, TERM EXPIRED.

WILFREDO MARTINEZ, OF FLORIDA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2013. (REAPPOINTMENT)

CHASE THEODORA ROGERS, OF CONNECTICUT, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2012, VICE ARTHUR A. MCGIVERIN, TERM EXPIRED.

UNITED STATES TAX COURT

JUAN F. VASQUEZ, OF TEXAS, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS. (REAPPOINTMENT)

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

DONALD KENNETH STEINBERG, OF CALIFORNIA, TO BE DEPUTY ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE FREDERICK W. SCHIECK, RESIGNED.

NATIONAL SCIENCE FOUNDATION

CORA B. MARRETT, OF WISCONSIN, TO BE DEPUTY DIRECTOR OF THE NATIONAL SCIENCE FOUNDATION, VICE KATHIE L. OLSEN.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

ALLISON BLAKELY, OF MASSACHUSETTS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2016, VICE CRAIG HAFNER, TERM EXPIRED.

CENTRAL INTELLIGENCE

DAVID B. BUCKLEY, OF VIRGINIA, TO BE INSPECTOR GENERAL, CENTRAL INTELLIGENCE AGENCY, VICE JOHN LEONARD HELGERSON.

NOMINATIONS RETURNED TO THE PRESIDENT

Thursday, August 5, 2010

The following nominations transmitted by the President of the United States to the Senate during the second session of the 111th Congress, and upon which no action was had at the time of the August adjournment of the Senate, failed of confirmation under the provisions of Rule XXXI, paragraph 6, of the Standing Rules of the Senate.

DEPARTMENT OF ENERGY

Warren F. Miller, Jr., of New Mexico, to be Director of the Office of Civilian Radioactive Waste Management, Department of Energy.