



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 111<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 156

WASHINGTON, THURSDAY, AUGUST 12, 2010

No. 121

## House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, September 14, 2010, at 2 p.m.

## Senate

THURSDAY, AUGUST 12, 2010

The Senate met at 10:01 a.m. and was called to order by the Hon. BENJAMIN L. CARDIN, a Senator from the State of Maryland.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Fountain of life and source of all goodness, You make all things and fill them with Your blessings. You created us to rejoice in the splendor of Your radiance.

Help our Senators today to nurture the inner light of Your presence in their lives. Enable them to hear Your still small voice calling them to embrace Your wisdom and to follow Your leadership.

Lord, we commend to You former Senator Ted Stevens. We thank You for his life and legacy and acknowledge that we are diminished by his sudden and unexpected death. We are grateful for his wisdom, dedication, patriotism, courage, and service. Comfort his family and all who mourn.

We pray in Your merciful Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable BENJAMIN L. CARDIN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDING OFFICER. Pursuant to the authority granted by section 2(a) of H. Con. Res. 307 of the 111th Con-

gress, the majority leader of the Senate, after consultation with the minority leader of the Senate, has determined that the public interest warrants a convening of the Senate at this time, notwithstanding the order of August 5, 2010.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, August 12, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland, to perform the duties of the Chair.

DANIEL K. INOUE,  
President pro tempore.

Mr. CARDIN thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The senior Senator from New York.

### MOMENT OF SILENCE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate observe a moment of silence in memory

of our former colleague, the late Senator from Alaska, Ted Stevens.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(Moment of silence.)

### MEASURES PLACED ON THE CALENDAR—S. 3762 AND H.R. 5827 EN BLOC

Mr. SCHUMER. Mr. President, I understand there are two bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the titles of the bills for the second time.

The legislative clerk read as follows:

A bill (S. 3762) to reinstate funds to the Federal Land Disposal Account.

A bill (H.R. 5827) to amend title II of the United States Code to include firearms in the types of property allowable under the alternative provision for exempting property from the estate.

Mr. SCHUMER. I object to any further proceedings with respect to these bills en bloc.

The ACTING PRESIDENT pro tempore. Objection is heard. The bills will be placed on the calendar.

### REMEMBERING SENATOR THEODORE "TED" FULTON STEVENS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 617, submitted earlier today.

The ACTING PRESIDENT pro tempore. Without objection, the clerk will report the resolution by title.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S6995

The legislative clerk read as follows:

A resolution (S. Res. 617) relative to the death of the Honorable Theodore "Ted" Fulton Stevens, former Senator for the State of Alaska.

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

Mr. SCHUMER. Mr. President, I would like to take this opportunity, and I think I speak on behalf of all of our colleagues, certainly in sentiment if not my exact words, about our friend and former colleague, Ted Stevens. On Tuesday we were all deeply saddened to learn about his tragic passing.

Ted's dedication to his Nation began with his valiant service in World War II and endured through six decades of public service. Ted helped secure statehood for his beloved Alaska and never stopped fighting for the people of the Pioneer State for over 40 years as its senior Senator.

Our thoughts are with Ted's wife Catherine and the entire Stevens family and all of those who lost their lives and were injured in this week's sad accident.

Mr. President, I want to personally add the thoughts of Senator REID. I spoke with him last night. We spoke about Senator Stevens and remembered him fondly. Senator REID particularly noted to me one of his prize possessions was a Hulk tie that Senator Stevens had given him, and he proudly still has it with him.

Mr. McCONNELL. Mr. President, in the history of our country, no one man has done more for one State than Ted Stevens. His commitment to the people of Alaska and his nation spanned decades, and he left a lasting mark on both. From his early military service as a pilot in World War II, to his involvement in the statehood of 'The Last Frontier,' to his fierce support and defense of our Nation's military, Ted Stevens was always there, fighting for what he believed in, and usually winning. He was a force to be reckoned with, and we will miss him greatly. We extend our deepest sympathies to Catherine and the entire Stevens family, and to the families of the friends who were lost in this terrible accident.

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid on the table en bloc, and that any statements relating to the resolution be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 617) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 617

Whereas Theodore "Ted" Fulton Stevens, who began serving in the Senate 8 years after Alaska was admitted to Statehood, represented the people of the State of Alaska with distinction in the Senate from 1968 to 2009 and played a significant role in the

transformation of the State of Alaska from an impoverished territory to a full-fledged State through the assistance he provided in building energy facilities, hospitals and clinics, roads, docks, ferry terminals and airports, water and sewer facilities, schools, and other community facilities in the State of Alaska, which earned him recognition as "Alaskan of the Century" from the Alaska Legislature in 2000;

Whereas Ted Stevens distinguished himself as a transport pilot during World War II in support of the "Flying Tigers" of the Army Air Forces, flying supplies to China over the treacherous "Hump" route in the eastern Himalayan mountains and earning 2 Distinguished Flying Crosses and other decorations for his skill and bravery;

Whereas Ted Stevens, after serving as a United States Attorney in the territory of Alaska, came to Washington, District of Columbia in 1956 to serve in the Eisenhower Administration in the Department of the Interior, where he was a leading force in securing the legislation that led to the admission of Alaska as the 49th State on January 3, 1959, and then as Solicitor of the Department of the Interior;

Whereas, in 1961, Ted Stevens returned to the State of Alaska and, in 1964, was elected to the Alaska House of Representatives, where he was subsequently elected as Speaker pro tempore and majority leader until his appointment to the Senate to fill the vacancy caused by the death of Senator E.L. Bartlett on December 24, 1968;

Whereas Ted Stevens, the longest-serving Republican Senator in the history of the Senate, served as President pro tempore of the Senate from 2003 through 2007 and as President pro tempore emeritus from 2008 to 2009, and over the course of his career in the Senate, Ted Stevens served as assistant majority leader, Chairman of the Select Committee on Ethics, Chairman of the Committee on Rules and Administration, Chairman of the Committee on Governmental Affairs, Chairman of the Committee on Appropriations, and Chairman of the Committee on Commerce, Science, and Transportation;

Whereas Ted Stevens worked tirelessly for the enactment of the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), which provided for the return of approximately 44,000,000 acres of land in the State of Alaska to the Aleut, Eskimo, and Indian peoples and created Native Corporations to secure the long-term economic, cultural, and political empowerment of the Native peoples of the State of Alaska;

Whereas Ted Stevens was a leader in shaping the communications policies of the United States, as he helped to establish the spectrum auction policy, negotiated the Telecommunications Act of 1996 (Public Law 104-104; 110 Stat. 56), authored the Digital Television Transition and Public Safety Act of 2005 (47 U.S.C. 309 note; Public Law 109-171), and passionately advocated for the connection of rural America to the rest of the world and to improve the lives of the people of the United States through the use of telemedicine and distance learning;

Whereas Ted Stevens was a conservationist who championed the safe development of the natural resources of the United States, as illustrated by his authorship of the Trans-Alaska Pipeline Authorization Act (43 U.S.C. 1651 et seq.), the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), which established the 200-mile exclusive economic zone and led to a reduction in the dominance of foreign fishing fleets in the fisheries of the United States, the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (Public Law 109-479; 120 Stat. 3575), which established conservation measures designed to

end overfishing, and the High Seas Driftnet Fisheries Enforcement Act (16 U.S.C. 1826a et seq.), which provided for the denial of entry into ports of the United States and the imposition of sanctions on vessels carrying out large-scale driftnet fishing beyond the exclusive economic zone of any nation;

Whereas Ted Stevens was an advocate for physical fitness in his personal life and in his legislative accomplishments, as illustrated by his authorship of the Ted Stevens Amateur and Olympic Sports Act (36 U.S.C. 220501 et seq.), his encouragement of providing equality to female athletes through the enactment of title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), and his leadership in improving physical education programs in schools by ushering through the Carol M. White Physical Education Program (20 U.S.C. 7261 et seq.);

Whereas Ted Stevens unconditionally supported the needs of the Armed Forces of the United States through visits to soldiers, sailors, airmen, and marines in ever major military conflict and war zone where United States military personnel have been assigned, including Vietnam, Kuwait, Bosnia, Kosovo, Iraq, and Afghanistan, and in his role as Chairman and Ranking Member of the Subcommittee on Defense Appropriations for more than 20 years; and

Whereas Ted Stevens was well respected for reaching across the aisle to forge bipartisan alliances and enjoyed many close friendships with colleagues in both political parties and with his staff, who were deeply loyal to him: Now, therefore, be it

*Resolved*, That—

(1) the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Theodore "Ted" Fulton Stevens, former member of the Senate;

(2) the Secretary of the Senate communicate this resolution to the House of Representatives and transmit an enrolled copy of this resolution to the family of the deceased; and

(3) when the Senate adjourns today, the Senate stands adjourned as a further mark of respect to the memory of the Honorable Theodore "Ted" Fulton Stevens.

#### EMERGENCY BORDER SECURITY SUPPLEMENTAL APPROPRIATIONS ACT, 2010

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 6080, received from the House and at the desk.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 6080) making emergency supplemental appropriations for border security for the fiscal year ending September 30, 2010, and for other purposes.

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

Mr. SCHUMER. Mr. President, today, I come to the floor to seek Unanimous Consent to pass a smart, tough, and effective \$600 million bill that will significantly enhance the security and integrity of our Nation's southern border—which currently lacks the resources needed to fully combat the drug smugglers, gunrunners, human-traffickers, money launderers and other organized criminals that seek to do harm to innocent Americans along our border.