

Today, we have the opportunity to help a great number of species. One bill ready for action, the Shark Conservation Act, will improve Federal enforcement of an existing prohibition on the killing of sharks just for their fins. Because of a loophole in the existing law, animals are still caught, their fins are severed, and the dismembered shark is sent back into the ocean to die. But they don't just die, they suffer a horrible and protracted death—all of that cruelty for a bowl of soup.

Another important bill is the Marine Mammal Rescue Assistance Act, which will strengthen programs that provide emergency aid to seals, whales, and other marine creatures that get struck by boats or tangled in fishing lines. This happens all the time.

Other bills, such as the Crane Conservation Act, the Great Cats and Rare Canids Act, and the Southern Sea Otter Recovery Act, will protect some of the most rare and remarkable creatures anywhere on Earth. Without our help, many of these creatures could disappear within a generation.

I also wish to draw attention to the efforts of Senators MERKLEY and KYL today to clear an important bill that will end the appalling practice of animal crush videos. It is hard for me to comprehend what some people do. They torture animals and take pictures of them and sometimes sell those pictures. There are people sick enough to want to watch a little animal or a big animal be crushed and killed. They call them animal crush videos. The law we passed in 1999 outlawing these videos was struck down by the Supreme Court in April of this year. Senators KYL and MERKLEY have worked to write a more narrowly tailored bill that respects the first amendment while still punishing those who seek to profit from the torture of puppies, kittens, and other helpless animals.

As I understand it, the Supreme Court said you can't stop people from buying these videos to watch. But we can stop people from doing these terrible things that people want to watch.

I hope we can work these out and pass these by unanimous consent. Why do we need debate on these issues? These are good bipartisan bills that deserve to be passed.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. REID. Mr. President, I have a number of unanimous consent requests that I am going to ask. But I have been told the Republicans want to look a few of these over, and I have no problem with that. I can do it later tonight or tomorrow sometime. These are important issues. I have given a brief synopsis of some of the awful things going

on around the country as they relate to animals. We should do something to take care of this. I hope we can get these cleared. These are not great legal issues, but they are moral issues. If we can't treat animals in a fair way, we can't treat ourselves in a fair way.

When we come in, in the morning, I will ask for these consents. I appreciate my friend from Mississippi for his usual manner of being so courteous in allowing me to go forward with my statement.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. WICKER. Mr. President, I ask unanimous consent to be recognized as in morning business.

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

(The remarks of Mr. WICKER are printed in today's RECORD under "Morning Business.")

Mr. WICKER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

UNANIMOUS CONSENT AGREEMENT—S.J. RES. 39

Mr. DURBIN. Mr. President, I ask unanimous consent that on Wednesday, September 29, at 10 a.m., the Republican leader or his designee be recognized to move to proceed to the consideration of S.J. Res. 39, a joint resolution providing for Congress's disapproval under chapter 8 of title 5 United States Code of the rule relating to the status as a grandfathered health plan under the Patient Protection and Affordable Care Act; that there be 2 hours of debate on the motion to proceed, with the time equally divided and controlled between the leaders or their designees; that upon the use or yielding back of time, the Senate proceed to vote on the adoption of the motion to proceed; that if the motion is successful, then there be 1 hour of debate with respect to the joint resolution, with the time divided as specified above; that upon the use or yielding back of time, the joint resolution be read a third time and the Senate then proceed to vote on passage of the joint resolution; provided further that if the motion to proceed to the joint resolution is defeated, that no further motion to proceed to the joint resolution be in order for the remainder of this Congress; further, that no amendments or any other motions be in order to the joint resolution, and that all other provisions of the statute governing consideration of the joint resolution remain in effect.

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

MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

NEVADA OPERA THEATRE

Mr. REID. Mr. President, I rise today to recognize the 25th anniversary and great impact of the Nevada Opera Theatre in Las Vegas, NV. A pillar in the arts, education and entertainment in southern Nevada, we are proud of the Nevada Theatre Opera and its many achievements since inception. It is my great pleasure to honor this fine institution along with its participants, patrons and volunteers here before the U.S. Senate today.

Known as a global center of entertainment and the arts, Las Vegas, NV, enjoys an incredible atmosphere of music and theatre. Eileen Hayes desired to add the immense impact of opera to this reputation and realized her goal with the foundation of the Nevada Opera Theatre in October of 1985. She brought opera music and performance to southern Nevada. Her work has been instrumental, and since the first performance in August of 1986, audiences have been captivated by productions including: La Boheme, La Traviata, Tosca and Die Fledermaus, to name a few.

The theatre continues on today as the major nonprofit opera company in southern Nevada. Comprised of Nevada Opera Theatre artists, chorus, and children's chorus and orchestra, membership surpasses 120. Many of the included artists are nationally and internationally recognized, while others are talented regional and local performers. All artists exude an excellent caliber or professionalism in the development of their craft.

As I have previously mentioned, these citizen performers not only entertain. Opera Outreach has performed for over 115,000 Clark County School District and private students, touching a great many lives in the ongoing education of our youth. Everyone is invited to participate by either joining the theatre or becoming a patron, making the education all the more tangible. Outreach encompasses not only programs in the schools but additional programming in local malls, hospices, hospitals, and for civic and community organizations.

I join with my fellow Nevadans in honoring the Nevada Opera Theatre for its 25 years of service. Now well into its third decade, this institution has worked to bring a knowledge and appreciation of music to the people of southern Nevada, and I have no doubt that it will continue to do so for years to come. I am grateful and honored to recognize the 25th anniversary of the Nevada Opera Theatre.

TRIBUTE TO JUDGE JOHN MENDOZA

Mr. REID. Mr. President, I rise before the Senate today to call attention to one of Nevada's finest advocacy programs. This year marks the 30th Anniversary of the Court Appointed Special Advocate Program, CASA. In Clark County, NV, the CASA program became a reality as a direct result of the efforts of Judge John F. Mendoza. Today I ask my colleagues to join with me in applauding the noble deeds performed by Judge Mendoza and the CASA Program.

Born and raised in Las Vegas, NV, John received his juris doctor degree from the University of Notre Dame in 1952. After returning to Nevada, he eventually served as Clark County district attorney, North Las Vegas city attorney, and Justice of the Peace of Las Vegas Township. His Honor was elected to district court judge of the State of Nevada, a position he held for 24 years. Judge Mendoza served as the president of the National Council of Juvenile and Family Court Judges.

During his career, Judge Mendoza recognized the desperate need for skilled and timely decisionmaking in the lives of abused, neglected and abandoned children, not only in Nevada but across the country. He used his knowledge, passion, and energy to educate and extract a level of excellence when dealing with caseworkers, parents and court proceedings in regard to appropriate needs evaluation and placement. He demanded a clear vision of roles and procedures. He held caseworkers responsible to the children they represented and answerable to the court for decisions they made.

Judge Mendoza recognized the lack of quality in the court process and did not tolerate the unfortunate delays in court hearing dates which often resulted in children literally growing up without permanent homes. As a result, Judge Mendoza championed national guidelines for improving court practices in child protective cases. He helped to establish methods for monitoring court schedules to prevent unnecessary delays and to control continuances. He urged competent representation thru the CASA and guardian ad litem programs. Through his tireless efforts, family courts began to take into account not only the children's safety but also the emotional impact of separation.

A lifetime of dedication to the rights of the children of Nevada and beyond has resulted in a national program that engages volunteers to be a voice for neglected and abused children. Each CASA volunteer in turn has an opportunity to walk in the footsteps of Judge John Mendoza in making a meaningful and constructive difference. Those footsteps lead to protecting and preserving the rights and interests of children who are unsafe in their own homes; to insuring that all aspects of the family court system perform in a child's best interest and se-

cures a safe and permanent home for that child.

I am deeply grateful for the work performed by CASA and its many volunteers. The chance to advocate on behalf of someone in need is the greatest opportunity afforded to those who serve in our legal system. I stand before the Senate today and thank the CASA program and Judge Mendoza for these 30 years of remarkable service.

TRIBUTE TO CHIEF JUSTICE JEFF AMESTOY

Mr. LEAHY. Mr. President, this summer, Marcelle and I were honored to be at the Vermont Supreme Court with former Supreme Court Justice Jeff Amestoy, his wife Susan, and their daughters. Like all Vermonters, I have respected his tenure, both as attorney general and as chief justice, as both were exemplary. While the portrait captures the image of the Jeff Amestoy his friends honor and care for, his words are what should be read by everyone who cares about our judiciary. Jeff's commitment to the law, our justice system, and our sense of what makes Vermont the State we love is in his words. They were so impressive I asked him for a copy, and I ask unanimous consent that they be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

REMARKS OF CHIEF JUSTICE JEFF AMESTOY
(RETIRED) AT PORTRAIT CEREMONY
VERMONT SUPREME COURT
(Montpelier, VT, Aug. 13, 2010)

Governor Douglas, Senator Leahy, Chief Justice Reiber, family and friends:

Thank you for the honor you do me by attending this ceremony. Thank you Justice Burgess for your generous introductory remarks. Brian Burgess served as Deputy Attorney General when I was Attorney General. I doubt that either of us could have foreseen this day but here we are together again. History may not repeat itself, but it sometimes rhymes.

Thank you Kenneth McIntosh Daly—artist, rancher, and friend who has once again made the trip from California to Vermont.

And thank you to my daughters Katherine, Christina, and Nancy for the unveiling.

This September I begin my seventh year as a Fellow at the Harvard Kennedy School nearly as long as I served on the Supreme Court of Vermont.

For those of you wondering how a Harvard Fellow spends his time, I can say I have spent the better part of the last two years living in the nineteenth century—more precisely in the Boston of the decade before the Civil War.

It was a time when a young man working as a waiter in a coffee house, or a clerk in a clothing store, could be seized by agents of the United States Government, brought before a Judge, and under the provisions of the new Fugitive Slave Law (where no process was due), be sent back into slavery.

Contrary to what I thought I knew about American history, Boston in the period leading up to the Civil War, was in the words of Charles Francis Adams, Jr., "almost avowedly a proslavery community." "It was a time" wrote Emerson, "when judges, bank presidents, railroad men, men of fashion, and

lawyers universally all took the side of slavery."

Well, almost all. I am interested in understanding how a society, and particularly the legal establishment of 1850s Boston, was transformed from the beginning of the decade when Daniel Webster said "no lawyer who makes more than \$40 a year is against the Fugitive Slave Law," to the end of the decade when lawyers literally went to war against it.

My window on that time, curiously enough, opened when I saw a portrait of a lawyer of that period.

So this day, for many reasons, has prompted me to look to a future as far removed from us today as the Boston of 1850. A century from now when each of us will be someone's memory, there will be, I trust, remembrances of things past.

In some building if not this one, there will be a wall where portraits of forgotten Chief Justices still hang—or where an enterprising curator has retrieved old paintings and artifacts for an exhibit of our times.

And on some class field trip (for those will always be with us), among a group of very bored students, there may be (if the world is lucky to still have teachers as inspiring as Mrs. Amestoy), a bright, curious student who will pause in front of this painting.

She will not, of course, recognize its subject, but as she looks through the window in the portrait, she will see Mt. Mansfield. And the window of the painting will begin to open for her a window on our time.

Our young historian will immerse herself in the flood of newspapers, opinions, and books of those long ago days at the beginning of the twenty-first century. On the basis of the documentation and her own insight, she will attempt to bring to life the color and passion when the social changes were so profound that even on our own time scholars characterized the upheaval as "The Great Disruption."

If our young scholar has had a history teacher as good as Mr. Remington, she will know she cannot rely on a single perspective. (In any event, my autobiography, *The Indispensable Man*, will long be out of print). But our future historian will be struck, as many historians have been, by the disproportionate impact Vermont has had on American history. She will not lack in material looking back at our time.

One Vermont Senator whose unparalleled leadership of the Senate Judiciary Committee, and pivotal endorsement of America's first African-American President, will echo down the halls of history; another whose rejection of the narrow partisanship of his party realigned the political balance of the United States Senate. A Governor whose candidacy for the Presidency altered the nature of presidential campaigns; another whose exemplary service at the beginning of the twenty-first century reflected the virtues Vermont's eighteenth century constitution calls "absolutely necessary . . . the firm adherence to justice, moderation, temperance, industry, and frugality."

Our historian will read of an opinion of the Vermont Supreme Court that framed a debate for a nation. And of the people of Vermont who demonstrated what the result is when that debate is conducted with respect and resolved in humanity.

If the Vermont of the twenty-second century is as blessed as ours, there will still be a justice system that "speaks for principle and listens for change." Just as the Commission on the Future of Vermont's Justice System envisioned when on the eve of the twenty-first century a new Chief Justice wrote: "if the future is realized in the way every member of the Commission devoutly wishes it to be, a century hence our successors will