

HONORING OUR ARMED FORCES

STAFF SERGEANT INGLÉS DOSREIS

Mr. LAUTENBERG. Mr. President, I rise today to honor the life of SSG Inglés DosReis, who was tragically killed on August 28, 2009, while serving at Aviano Air Base in Italy.

Staff Sergeant DosReis enlisted in the Air Force in February 2005, immediately following his graduation from high school. He was a member of the 51st Security Forces Squadron stationed out of Osan Air Base in South Korea from August 2005 until August 2006. He was subsequently transferred to the 31st Security Forces Squadron at Aviano Air Base, where he started as an installation entry controller. He deployed to Iraq in August 2007 and received the Army Achievement Medal for his service. Staff Sergeant DosReis served in Iraq until February 2008 and upon his return he became a certified desk sergeant at Aviano Air Base. He was posthumously promoted by the Air Force to the permanent grade of staff sergeant in August 2009.

Staff Sergeant DosReis' family fondly remembers him as an intelligent and kindhearted man and a loving husband to his wife Katherine and father to his son Christian. A great athlete, Staff Sergeant DosReis spent much of his childhood playing basketball and had a passion for sports. He was also a natural student, earning honors in high school and later going on to take classes at the Community College of the Air Force with a major in political science.

Over a year has passed since SSG Inglés DosReis was tragically taken from those who love him. Today, I join Staff Sergeant DosReis' family and friends in commemorating his life by entering his name in the RECORD. As a member of the Air Force, he showed his loyalty and commitment to freedom and peace and today we honor his service and sacrifice for our country.

LANCE CORPORAL IRVIN M. CENICEROS

Mrs. LINCOLN. Mr. President, today I honor of LCpl Irvin M. Cenicerros, 21, of Clarksville, who died on October 14, 2010, while supporting combat operations in Helmand Province, Afghanistan.

My heart goes out to the family of Lance Corporal Cenicerros, who made the ultimate sacrifice on behalf of our Nation. Along with all Arkansans, I am grateful for his service and for the sacrifice he and his family have made. I am committed to ensuring that all of our veterans always have the full support they need and deserve, and I can assure our brave soldiers and their families that our grateful Nation will not forget them when their military service is complete.

More than 11,000 Arkansans on active duty and more than 10,000 Arkansas Reservists have served in Iraq or Afghanistan since September 11, 2001. These men and women have shown tremendous courage and perseverance through the most difficult of times. As neighbors, as Arkansans, and as Ameri-

cans, it is incumbent upon us to do everything we can to honor their service and to provide for them and their families, not only when they are in harm's way but also when they return home. It is the least we can do for those whom we owe so much.

Lance Corporal Cenicerros was assigned to 3rd Battalion, 5th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

STAFF SERGEANT CARLOS A. BENITEZ

Mr. BENNET. Mr. President, it is with a heavy heart that I rise today to honor the life and heroic service of SSG Carlos A. Benitez. Staff Sergeant Benitez, who was assigned to the 10th Cavalry Regiment, 4th Infantry Division, in Fort Carson, CO, died on October 14, 2010, from injuries sustained when an improvised explosive device detonated near his vehicle. Staff Sergeant Benitez was serving in support of Operation Enduring Freedom in Afghanistan. He was 24 years old.

A native of Carrollton, TX, Staff Sergeant Benitez graduated from Creekview High School and joined the Army in October 2004. He served three tours of duty: two in Iraq and one in Afghanistan—all with decoration. His wife and young daughter and son moved to Colorado for Staff Sergeant Benitez's most recent assignment.

During 5 years of service, Staff Sergeant Benitez distinguished himself through his courage, dedication to duty, and willingness to take on any job. He was awarded numerous awards and medals, including two Army Commendation Medals, the Valorous Unit Award, the Army Good Conduct Medal, the Afghanistan Campaign Medal with Campaign Star, and the Iraq Campaign Medal with four Campaign Stars.

Staff Sergeant Benitez worked on the front lines of battle, serving in the most dangerous areas of Iraq and Afghanistan. He is remembered by those who knew him as a consummate professional with an unending commitment to excellence. Friends and loved ones remember his commitment to his wife. His mother, Imelda, remembers how her son wanted to enlist in the Army when he was just 17. She made him wait an extra year.

Mark Twain once said, "The fear of death follows from the fear of life. A man who lives fully is prepared to die at any time." Staff Sergeant Benitez's service was in keeping with this sentiment—by selflessly putting country first, he lived life to the fullest. He lived with a sense of the highest honorable purpose.

At substantial personal risk, he braved the chaos of combat zones throughout Iraq and Afghanistan. And though his fate on the battlefield was uncertain, he pushed forward, protecting America's citizens, her safety, and the freedoms we hold dear. For his service and the lives he touched, Staff Sergeant Benitez will forever be remembered as one of our country's bravest.

To Staff Sergeant Benitez's wife, their children, and his entire family—I cannot imagine the sorrow you must be feeling. I hope that, in time, the pain of your loss will be eased by your pride in Carlos's service and by your knowledge that his country will never forget him. We are humbled by his service and his sacrifice.

REQUEST FOR CONSULTATION

Mr. COBURN. I ask unanimous consent that the following letter be printed in the RECORD.

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

U.S. SENATE,

Washington, DC, November 16, 2010.

Hon. MITCH MCCONNELL,
Senate Minority Leader,
Washington, DC.

DEAR SENATOR MCCONNELL: I am requesting that I be consulted before the Senate enters into any unanimous consent agreements or time limitations regarding S. 2925, Domestic Minor Sex Trafficking Deterrence and Victims Support Act of 2010.

I support the goals of this legislation and believe slavery, in any form, is morally reprehensible. Sex trafficking is a global epidemic, and we should endeavor to eliminate this industry, especially due to its effects on minors who are victims of this practice. However, I believe we can and must do so in a fiscally responsible manner that upholds the Constitution. My concerns are included in, but not limited to, those outlined in this letter.

While the Judiciary Committee considered and amended this bill in its Executive Business Meeting, making some positive changes, I still have several concerns with the committee-reported language. First, although the new grant program created by this legislation will be inserted into existing trafficking law, the bill extends the current funding authorization period. The Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA) established the current law regarding trafficking, but its funding authorizations expire in 2011. However, in combining this bill's new grant program with existing TVPRA grants, it also extends the grant's authorization through 2014. Thus, the bill authorizes new spending of \$15 million per year from 2012-2014, totaling \$45 million that is not offset by reductions in real spending elsewhere in the federal government.

It is irresponsible for Congress to jeopardize the future standard of living of our children by borrowing from future generations. The U.S. national debt is now over \$13 trillion. That means over \$43,000 in debt for each man, woman and child in the United States. A year ago, the national debt was \$10.2 trillion. Despite pledges to control spending, Washington added \$4.6 billion to the national debt every single day last year—that is \$3.2 million every single minute.

Second, the Sex Trafficking Block Grants in S. 2925 go beyond the responsibility of the federal government by allowing grantees to use grant money for activities that are rightly the responsibility of individual states. The grants may be used to provide clothing, daily necessities, counseling and legal services to trafficking victims. They may also be used to provide training for state and local law enforcement officers and social service providers. Finally, the grants may be used to fund salaries for state and local law enforcement officers and prosecutors, as well as investigation expenses for

minor sex trafficking cases prosecuted by the state. All of these expenses can and should be provided by the states, not the federal government.

I agree the problem of sex trafficking, particularly when the victims are children, is an important issue both state and federal governments should address. As ranking member of the Human Rights and the Law Subcommittee, I have seen the effects of the sex trade industry both internationally and domestically. As it pertains to domestic child sex trafficking victims, however, I believe the federal government should not be the primary provider of services for these victims.

Most cases involving child sex trafficking are prosecuted at the state level, while the federal government typically only joins cases involving large sex trafficking rings that often include other federal criminal activity. As a result, I have concerns that this legislation places too great of a burden on the federal government to provide funding for trafficking victims' services. In addition, the bill allows grant funds to be used in many ways beyond basic services that I believe both detract from the goal of assisting victims and duplicates funding already provided by other federal grant programs.

Third, only 50% of the grant funds are required to go toward actual victims' services. The other 50% can be used for salaries for state law enforcement officers and prosecutors, as well as state trial and investigation expenses. While I do not support the federal funding of food, clothing and other daily necessities for these victims, by refusing to require a higher percentage of the grant to go toward these types of direct victims' services, the bill does not fulfill its goal.

Finally, while I was encouraged by some of the compromise language that was included in the bill the Judiciary Committee ultimately passed, such as inserting the bill's grant program into an existing federal program to avoid some of the overlap and direct duplication it initially created, there remain several broad Justice Department grant programs that can be used for the purposes outlined in this bill's grant program. All of the Edward Byrne Grant programs, including the Discretionary Grants or earmarks, the Community Oriented Policing Service (COPS) grants and multiple juvenile justice grants offered through the Office of Juvenile Justice and Delinquency Prevention (OJJDP) contain broad language that would allow these grants to be used for the purposes outlined in S. 2925.

While there is no question that the sex trafficking industry has lifelong, horrific effects on its victims, particularly minors, both federal and state governments bear the burden of addressing this issue. It is the states who should provide funding for the permissible purposes under this bill's grant program, as it is state and local agencies which have the responsibility to carry out these services. Furthermore, the federal government already provides funding to address trafficking issues, and grant programs are available to state and local governments that can be used to help sex trafficking victims. Congress should, like many American individuals and companies do with their own resources, evaluate current programs, determine any needs that may exist and prioritize those needs for funding by cutting from the federal budget programs fraught with waste, fraud, abuse and duplication.

Sincerely,

TOM A. COBURN, M.D.,
U.S. Senator.

NATIONAL CYBER INFRASTRUCTURE PROTECTION ACT

Mr. BOND. Mr. President, last June, Senator HATCH and I introduced S. 3538, the National Cyber Infrastructure Protection Act. This bill responds to the concern expressed by former Director of National Intelligence Mike McConnell that "[i]f we were in a cyber war today, the United States would lose."

The bill is built on three principles. First, we must be clear about where Congress should, and, more importantly, should not legislate. Second, there must be one person in charge—someone outside the Executive Office of the President who is unlikely to claim executive privilege, but who has real authority to coordinate our government cyber security efforts. Third, we need a voluntary public-private partnership to facilitate sharing cyber threat information, research, and technical support.

Since filing the bill, we have continued to work with government, industry, and privacy experts in making sure that the solutions identified in this bill are effective. There are many different opinions out there on how best to tackle the cyber security problems we face, and so we remain open to looking at ideas for improving the bill. Earlier today, we filed a substitute amendment to S. 3538 that incorporates a number of these suggested improvements. It has been referred to committee.

The original bill would have housed the National Cyber Center administratively in the Department of Defense so as to reduce start-up costs and logistics. We appreciate the concerns some may have with the appearance we are militarizing cyber security, so our substitute creates the center as a stand-alone entity, like the Office of the Director of National Intelligence. In this way, it will be clear we are not militarizing cyber security and one department does not have the inside track over any other when it comes to securing our government networks. In order to make sure there is appropriate input from DOD and DHS, we are also creating two deputy directors, instead of one, with each appointed by the respective Secretaries with the concurrence of the Director of the National Cyber Center.

Second, the Cyber Defense Alliance is a pivotal component for encouraging government and the private sector to collaborate and share information on cyber-related matters. We recognize that the private sector is often on the front lines of cyber attacks, so any information they can provide to increase government awareness of the source and nature of cyber threats will make both government and the private sector stronger. The corollary to this is that the government must share its own cyber threat information, including classified or declassified intelligence, with the private sector.

All of this sharing can raise significant privacy concerns. So, in response

to suggestions we have heard, our substitute bill adds language to clarify that at least one of the private sector members of the board of directors must have experience in civil liberties matters. We believe this will ensure that privacy concerns are taken seriously at the very top levels of the Alliance. We all have an interest in making sure that threat information is shared, but we also have an interest in making sure that no one's privacy rights are violated.

The next Congress needs to focus on passing effective cyber legislation. I believe that S. 3538, as amended, provides a solid starting point for that effort. The bill addresses the most pressing needs: it puts someone outside the White House in charge of cyber policy and the Federal cyber budget; it provides a national cyber center that can oversee and coordinate cybersecurity for dot.gov and dot.mil; and it creates a public-private partnership that will harness the creativity of the private sector to better protect our dot.com networks.

Congress should avoid the temptation to overlegislate in this area. We need to walk before we can run. Once this basic cyber infrastructure is established, it will bring the leading public and private cyber experts together to shape cyber activities and policies. These experts will then be in an ideal position to advise Congress and the administration on the need for any additional steps to ensure our cybersecurity.

I thank my good friend Senator HATCH for his close collaboration on this legislation. I know he will be an effective advocate for this approach when the bill is filed in the next Congress.

JUDICIAL NOMINATIONS

Mr. LEAHY. Mr. President, recently I spoke to the Senate on the occasion of the consideration of the nomination of Jane Branstetter Stranch of Tennessee to the Sixth Circuit. It was nearly 10 months after her nomination was favorably reported by the Senate Judiciary Committee that Senate Republicans finally consented to a time agreement and vote, despite the support of the senior Senator from Tennessee, a member of the Republican leadership. Nevertheless, I said then that if consideration of the Stranch nomination, after months of needless delay, represented a bipartisan willingness to return to the Senate's tradition of offering advice and consent without extensive delays, I welcomed it. I urged the Senate to consider the other 16 judicial nominations then on the Senate Executive Calendar favorably reported by the Judiciary Committee without further delay.

Regrettably, since Judge Stranch was approved by a bipartisan majority on September 13, the Senate has not considered a single additional judicial nomination, although some were reported as long ago as January. Indeed,