

his Web site and another one after that. Once he does, this bill would give the administration increased flexibility to deal with him and potentially other copycat organizations that aspire to his likeness.

There are a couple of concerns I want to address. First, one might wonder how this bill stands with our first amendment. While I hope we can all agree that Julian Assange is no journalist, some might wonder if the amended law that would result from this bill could be applied to the news media. It is pretty frustrating for the intelligence community when communications intelligence sources and methods are blown.

When this happens, sources of vital intelligence dry up or become inaccessible, and potentially millions of defense dollars go down the drain. However, despite the serious consequences associated with losing a communications intelligence source or method, and the damage that does to our national security, no Presidential administration has ever prosecuted a member of the news media under the existing statute, which has been on the books since 1951.

Let's face it, leaks do happen. As Secretary Gates stated just a few days ago, regrettably, our government leaks classified information like a sieve. This bill does not stop anybody from publishing leaks, but it does provide legal incentive to Julian Assange to do what Amnesty International has repeatedly asked him to do: be more responsible about how classified leaks are handled by not revealing the identity of these classified human intelligence sources.

Let me be clear. This bill doesn't target journalists. Instead, it provides flexibility for the Attorney General with a targeted solution and increased flexibility to deal with WikiLeaks.

Some might be wondering whether Julian Assange, who is a foreign citizen, can be prosecuted under the Espionage Act. In fact, the courts long ago established that he can be prosecuted under these statutes.

I am not a lawyer, but if you study the *United States v. Zehe* from 1986, it becomes immediately clear that Assange can be prosecuted under the Espionage Act.

That said, my concern is that our existing laws may have some loopholes through which he can escape. In fact, just a few days ago in the *Washington Post*, I read where Attorney General Holder said:

To the extent that there are gaps in our laws . . . we will move to close those gaps.

Well, I submit that the bill I am introducing today, with a couple of others, will do just that. It closes a gap in our laws and it moves to protect vital human intelligence sources and methods consistent with the manner in which current law communications intelligence is already protected.

I thank Senators LIEBERMAN and BROWN of Massachusetts for joining me in this important legislation and for

the input Senators LIEBERMAN and BROWN of Massachusetts have given me on this important legislation.

I hope we can take up this bill, consider it, work with the administration, work with the House, and pass this important legislation so the next time, and we know there will be a next time, that Julian Assange and his associates leak classified intelligence that puts people's lives in danger, we can actually have another tool in the arsenal so our Department of Justice can go after these despicable people.

#### SUBMITTED RESOLUTIONS

##### SENATE RESOLUTION 692—CONGRATULATING THE SAN FRANCISCO GIANTS ON WINNING THE 2010 WORLD SERIES CHAMPIONSHIP

Mrs. BOXER (for herself and Mrs. FEINSTEIN) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation.

S. RES. 692

Whereas on November 1, 2010, the San Francisco Giants defeated the Texas Rangers by a score of 3-1 in game 5 to win the 2010 World Series and become champions of Major League Baseball;

Whereas this is the first championship the San Francisco Giants have won since the Giants came to San Francisco from New York in 1958;

Whereas this is the sixth World Series title in the history of the Giants franchise;

Whereas the 2010 Giants acted with determination and teamwork as they emerged victorious from the fiercely contested National League Western Division;

Whereas during the National League playoffs, the Giants unleashed their arsenal of overpowering starting pitching, unflappable relief pitching, steady defense, and timely hitting to defeat the Atlanta Braves and the two-time defending National League champions, the Philadelphia Phillies, en route to capturing their first pennant since 2002;

Whereas, although there is no one superstar on the roster, the Giants are a group of self-described "castoffs and misfits" that truly exemplify what it means to be a team;

Whereas all 25 players on the playoff roster should be congratulated, including World Series Most Valuable Player Edgar Renteria, as well as, Jeremy Affeldt, Madison Bumgarner, Matt Cain, Santiago Casilla, Tim Lincecum, Javier Lopez, Guillermo Mota, Ramon Ramirez, Sergio Romo, Jonathan Sanchez, Brian Wilson, Buster Posey, Eli Whiteside, Mike Fontenot, Aubrey Huff, Travis Ishikawa, Freddy Sanchez, Pablo Sandoval, Juan Uribe, Pat Burrell, Cody Ross, Aaron Rowand, Nate Schierholtz, and Andres Torres;

Whereas Managing General Partner Bill Neukom, General Manager Brian Sabean and Manager Bruce Bochy did a tremendous job putting together the 2010 San Francisco Giants team and guiding them to the 2010 World Series;

Whereas San Francisco is a city with a rich baseball tradition where players such as Willie Mays, Willie McCovey, Orlando Cepeda, Juan Marichal, Gaylord Perry, and Joe DiMaggio have displayed the prodigious skills that would eventually take them to the National Baseball Hall of Fame in Cooperstown, New York; and

Whereas Giants fans who have been ever loyal, supporting the team from China Basin to Coogan's Bluff, can once again call their baseball team world champions: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the San Francisco Giants on winning the 2010 World Series Championship; and

(2) commends the fans in California, across the country, and around the world for their unremitting support of the Giants.

##### SENATE RESOLUTION 693—CONDEMNING THE ATTACK BY THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA AGAINST THE REPUBLIC OF KOREA, AND AFFIRMING SUPPORT FOR THE UNITED STATES-REPUBLIC OF KOREA ALLIANCE

Mr. WEBB (for himself, Mr. MCCAIN, Mr. BOND, Mr. INHOFE, Mr. BROWN of Massachusetts, Mr. BEGICH, Mr. LIEBERMAN, Mr. SCHUMER, Mr. MENENDEZ, Mr. LUGAR, Mr. NELSON of Florida, Mr. VOINOVICH, Mr. WICKER, Mr. AKAKA, Mr. INOUE, Mr. WARNER, Mr. KYL, Mr. GREGG, Mr. LEMIEUX, Mr. ISAKSON, Mr. CASEY, Mr. SHAHEEN, Mrs. FEINSTEIN, Mrs. MCCASKILL, Mr. TESTER, and Mr. DURBIN) submitted the following resolution; which was considered and agreed to:

S. RES. 693

Whereas Yeonpyeong Island is located in the Yellow Sea (West Sea) about 50 miles west of the city of Incheon and is inhabited by more than 1,000 citizens and military personnel from the Republic of Korea;

Whereas the United Nations Command established the Northern Limit Line in 1953, marking the line of military control between the Democratic People's Republic of Korea and the Republic of Korea;

Whereas, on November 23, 2010, the Republic of Korea military conducted military exercises in the Yellow Sea (West Sea) on the southern side of the Northern Limit Line;

Whereas, on that day, North Korea military forces fired approximately 170 artillery shells at Yeonpyeong Island, resulting in military and civilian casualties, including the death of 2 marines and 2 civilians from the Republic of Korea;

Whereas North Korea's shelling caused widespread damage to military installations and civilian property;

Whereas North Korea's attack against South Korea infringes upon the commitments made in the Korean War Armistice Agreement of 1953 that oblige military commanders to "order and enforce a complete cessation of all hostilities in Korea by all armed forces under their control";

Whereas this attack also violates United Nations Security Council Resolution 1695 (2006), which emphasizes the need for North Korea "to show restraint and refrain from any action that might aggravate tension, and to continue to work on the resolution of non-proliferation concerns through political and diplomatic efforts";

Whereas this brazen attack is one in a series of actions by the Government of North Korea that undermine regional peace and security, especially on the Korean peninsula;

Whereas this attack follows the March 26, 2010, torpedo attack by the Government of North Korea against the Republic of Korea ship CHEONAN, which resulted in the death of 46 sailors from the Republic of Korea Navy;

Whereas this attack also follows the revelation that the Government of North Korea has constructed a uranium enrichment facility at the Yongbyon nuclear site in clear violation of United Nations Security Council Resolutions 1718 (2006) and 1874 (2009);

Whereas this attack and the trend of continued provocation by the Government of North Korea reinforces the importance of the alliance between the United States and the Republic of Korea and the need for the United States to maintain a strong military presence in East Asia; and

Whereas this attack also signifies the importance of maintaining a strong bilateral economic, security, and cultural relationship with the Republic of Korea: Now, therefore, be it

*Resolved*, That the Senate—

(1) condemns the attack by the Government of North Korea against the Republic of Korea in violation of the 1953 Korean War Armistice Agreement;

(2) expresses its deep condolences to the government and people of the Republic of Korea, especially the families on Yeonpyeong Island who suffered from this attack and lost their loved ones;

(3) recognizes that maintaining peace on the Korean peninsula requires constant vigilance, and continues to stand with the people and the Government of the Republic of Korea in this time of crisis;

(4) calls on the international community, especially North Korea's ally, China, to condemn this attack and enjoin the Government of North Korea to halt all nuclear activities in accord with United Nations Security Council resolutions 1718 (2006) and 1874 (2009) and refrain from any further actions that may destabilize the Korean Peninsula;

(5) calls on the President to work with the Government of the Republic of Korea to take all necessary steps to deter further aggression by the Government of North Korea, in keeping with the security alliance between the United States and the Republic of Korea;

(6) urges the Administration to continue a bilateral economic relationship with the Republic of Korea; and

(7) reaffirms the commitment of the United States to its alliance with the Republic of Korea for the preservation of peace and stability on the Korean Peninsula and throughout the region.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 4726. Mr. DURBIN (for Mr. SESSIONS (for himself and Mr. LEAHY)) submitted an amendment intended to be proposed by Mr. DURBIN to the bill H.R. 1107, to enact certain laws relating to public contracts as title 41, United States Code, "Public Contracts".

SA 4727. Mr. BAUCUS (for Mr. REID (for himself, Mr. ROCKEFELLER, Mr. KERRY, Mr. CARPER, Ms. STABENOW, Mr. SCHUMER, and Mr. MENENDEZ)) proposed an amendment to the bill H.R. 4853, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

SA 4728. Mr. REID (for Mr. SCHUMER (for himself, Ms. STABENOW, and Mr. MENENDEZ)) proposed an amendment to amendment SA 4727 proposed by Mr. BAUCUS (for Mr. REID (for himself, Mr. ROCKEFELLER, Mr. KERRY, Mr. CARPER, Ms. STABENOW, Mr. SCHUMER, and Mr. MENENDEZ)) to the bill H.R. 4853, supra.

SA 4729. Mr. REID proposed an amendment to the bill H.R. 4853, supra.

SA 4730. Mr. REID proposed an amendment to amendment SA 4729 proposed by Mr. REID to the bill H.R. 4853, supra.

SA 4731. Mr. REID proposed an amendment to amendment SA 4730 proposed by Mr. REID to the amendment SA 4729 proposed by Mr. REID to the bill H.R. 4853, supra.

#### TEXT OF AMENDMENTS

**SA 4726.** Mr. DURBIN (for Mr. SESSIONS (for himself and Mr. LEAHY)) submitted an amendment intended to be proposed by Mr. DURBIN to the bill H.R. 1107, to enact certain laws relating to public contracts as title 41, United States Code, "Public Contracts"; as follows:

On page 2, in the item related to chapter 35 in the subtitle analysis, strike

**"and"**  
and insert

**"or"**

On page 7, strike lines 14 through 20 and insert "In this subtitle, the term 'supplies' has the same meaning as the terms 'item' and 'item of supply'".

On page 9, line 20, strike **"support"** and insert **"support"**.

On page 25, lines 11 and 12, strike "under section 5376 of title 5" and insert "for level IV of the Executive Schedule".

On page 48, line 34, strike "employee from State or local governments" and insert "individual".

On page 55, line 36, strike "\$2,500" and insert "\$3,000".

On page 56, line 15, strike "\$2,500" and insert "\$3,000".

On page 56, line 19, strike "\$2,500" and insert "\$3,000".

On page 77, line 1, strike "his representatives" and insert "representatives of the Comptroller General".

On page 93, lines 18 and 19, strike "under section 5376 of title 5" and insert "for level IV of the Executive Schedule".

On page 110, line 21, strike **"AND"** and insert **"OR"**.

Beginning on page 131, strike line 8 and all that follows through page 132, line 19, and insert the following:

(c) **CONTRACT PERIOD.**—The period of a task order contract entered into under this section, including all periods of extensions of the contract under options, modifications, or otherwise, may not exceed 5 years unless a longer period is specifically authorized in a law that is applicable to the contract.

On page 185, line 39, strike "AMOUNT" and insert "AMOUNTS".

On page 185, line 40, strike "amount" and insert "amounts".

On page 186, line 1, strike "amount" and insert "amounts".

On page 201, line 13, strike "under section 5376 of title 5" and insert "for level IV of the Executive Schedule".

On page 204, between lines 10 and 11, insert the following:

(3) **PERSON.**—The term "person" means a corporation, partnership, business association of any kind, trust, joint-stock company, or individual.

On page 204, line 11, strike "(3)" and insert "(4)".

On page 204, line 14, strike "(4)" and insert "(5)".

On page 204, line 17, strike "(5)" and insert "(6)".

On page 204, line 20, strike "(6)" and insert "(7)".

On page 204, line 24, strike "(7)" and insert "(8)".

On page 204, line 31, strike "(8)" and insert "(9)".

On page 208, line 6, insert "(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)" after "division C".

On page 209, line 3, insert "(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)" after "division C".

On page 213, line 36, insert "(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)" after "division C".

On page 213, line 39, insert "(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)" after "division C".

On page 214, line 8, insert "(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)" after "division C".

On page 214, line 13, insert "(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)" after "division C".

On page 214, line 16, insert "(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)" after "division C".

On page 214, line 19, insert "(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)" after "division C".

On page 214, line 24, insert "(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)" after "division C".

On page 214, line 27, insert "(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)" after "division C".

On page 214, line 39, insert "(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)" after "division C".

On page 215, line 3, insert "(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)" after "division C".

On page 215, line 6, insert "(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)" after "division C".

On page 215, line 10, insert "(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)" after "division C".

On page 215, line 13, insert "(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)" after "division C".

On page 215, line 16, insert "(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)" after "division C".

On page 215, line 19, insert "(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)" after "division C".

On page 217, line 28, insert "(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)" after "division C".

On page 219, line 30, insert "(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)" after "division C".

On page 219, line 33, strike "(except section 3302)" and insert "(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)".

On page 219, line 38, insert **"(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)"** after **"division C"**.

On page 220, line 5, insert "(EXCEPT SECTIONS 1704 AND 2303)" after "DIVISION B".

On page 220, line 8, insert "(except sections 1704 and 2303)" after "division B".

On page 220, line 13, insert "(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)" after "division C".

On page 220, line 16, insert "(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)" after "division C".

On page 220, line 18, insert "(except sections 1704 and 2303)" after "division B".

On page 220, line 36, insert "(except sections 1704 and 2303)" after "division B".

On page 221, line 5, insert "(except sections 1704 and 2303)" after "division B".

On page 221, line 13, insert "(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)" after "division C".

On page 221, line 16, insert "(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)" after "division C".

On page 221, line 26, insert "(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)" after "division C".