

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 10:22 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 325. Concurrent resolution supporting the goals and ideals of National Homeless Persons' Memorial Day.

The message also announced that the House has passed the following bill, without amendment:

S. 2847. An act to regulate the volume of audio on commercials.

ENROLLED BILL SIGNED

The President pro tempore (Mr. INOUE) reported that he had signed the following enrolled bill, which was previously signed by the Speaker of the House:

H.R. 4783. This Act may be cited as "The Claims Resettlement Act of 2010".

MEASURES REFERRED

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 325. Concurrent resolution supporting the goals and ideals of National Homeless Persons' Memorial Day; to the Committee on Health, Education, Labor, and Pensions.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 4006. A bill to provide for the use of unobligated discretionary stimulus dollars to address AIDS Drug Assistance Program waiting lists and other cost containment measures impacting State ADAP programs.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, December 3, 2010, she had presented to the President of the United States the following enrolled bills:

S. 1338. An act to require the accreditation of English language training programs, and for other purposes.

S. 1421. An act to amend section 42 of title 18, United States Code, to prohibit the importation and shipment of certain species of carp.

S. 3250. An act to provide for the training of Federal building personnel, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. 3984. A bill to amend and extend the Museum and Library Services Act, and for other purposes.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. LEVIN for the Committee on Armed Services.

Air Force nomination of Gen. Claude R. Kehler, to be General.

(Nomination was reported with recommendation that it be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BURR (for himself and Mr. COBURN):

S. 4006. A bill to provide for the use of unobligated discretionary stimulus dollars to address AIDS Drug Assistance Program waiting lists and other cost containment measures impacting State ADAP programs; read the first time.

By Mr. AKAKA:

S. 4007. A bill to amend the Humane Methods of Livestock Slaughter Act of 1958 to ensure the humane slaughter of nonambulatory livestock, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CASEY (for himself and Mr. BROWN of Massachusetts):

S. 4008. A bill to enhance United States diplomatic efforts with respect to Iran by imposing additional economic sanctions against Iran, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BROWNBACK (for himself, Mr. WHITEHOUSE, Ms. MURKOWSKI, Mr. LEAHY, Mr. KYL, Mr. CASEY, Mr. JOHANNIS, Mr. WYDEN, and Mr. LIEBERMAN):

S. Res. 694. A resolution condemning the Government of Iran for its state-sponsored persecution of religious minorities in Iran and its continued violation of the International Covenant on Human Rights; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 3390

At the request of Mr. FRANKEN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 3390, a bill to end the discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 3946

At the request of Mr. BAUCUS, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor

of S. 3946, a bill to repeal the expansion of information reporting requirements for payments of \$600 or more to corporations, and for other purposes.

S. 3973

At the request of Mr. VOINOVICH, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 3973, a bill to amend the Energy Policy Act of 2005 to reauthorize and modify provisions relating to the diesel emissions reduction program.

S. 3990

At the request of Mr. BROWN of Massachusetts, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 3990, a bill to extend emergency unemployment benefits without adding to the Federal budget deficit, and for other purposes.

AMENDMENT NO. 4727

At the request of Mr. BAUCUS, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of amendment No. 4727 proposed to H.R. 4853, a bill 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.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 694—CONDEMNING THE GOVERNMENT OF IRAN FOR ITS STATE-SPONSORED PERSECUTION OF RELIGIOUS MINORITIES IN IRAN AND ITS CONTINUED VIOLATION OF THE INTERNATIONAL COVENANT ON HUMAN RIGHTS

Mr. BROWNBACK (for himself, Mr. WHITEHOUSE, Ms. MURKOWSKI, Mr. LEAHY, Mr. KYL, Mr. CASEY, Mr. JOHANNIS, Mr. WYDEN, and Mr. LIEBERMAN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. Res. 694

Whereas Iran is a multicultural society comprised of Shia and Sunni Muslims, as well as Baha'is, Christians, Jews, Zoroastrians, Persians, Azeris, Gilakis and Mazandarani, Kurds, Arabs, Lurs, Turkmen, Armenians, Balochis, Bakhtyaris, and others, and many of these communities have co-existed for thousands of years;

Whereas the Baha'i community is the largest non-Muslim religious minority in Iran, whose teachings emphasize multiculturalism, equality of men and women, interdependence, and humankind living in peace;

Whereas vast numbers of Iranians recognize the many contributions Baha'is have made to their society despite facing government-sponsored persecution;

Whereas, in 1982, 1984, 1988, 1990, 1992, 1996, 2000, 2006, 2008, and 2009, Congress declared that it deplored the religious persecution by the Government of Iran of the Baha'i community and would hold the Government of Iran responsible for upholding the rights of all Iranian nationals, including members of the Baha'i faith;

Whereas, according to the February 2010 United Nations Human Rights Council Universal Periodic Review of Iran, "The Secretary-General noted reports about Baha'is subjected to arbitrary detention, false imprisonment, confiscation and destruction of property, citing a significant increase in violence targeting Baha'is, including torture or ill-treatment in custody.";

Whereas, in August 2010, the seven former leaders of the Iranian Baha'i community were sentenced to a 20-year prison term, later reduced to a 10-year sentence, following over two years of arbitrary detention without trial;

Whereas numerous independent observers and legal experts, including the United Nations High Commissioner for Human Rights, have raised serious questions about the lack of due process or fairness of their trial;

Whereas over 43 Baha'is continue to be imprisoned in Iran as of November 2010 solely because of their religious beliefs;

Whereas the Comprehensive Iran Sanctions, Accountability and Divestment Act of 2010 (Public Law 111-195) calls on the President to impose "sanctions on certain persons who are responsible for or complicit in human rights abuses committed against citizens of Iran or their family members";

Whereas, on March 15, 2010, Ms. Rozita Vaseghi was arrested and has since been held in solitary confinement at the detention center of the Ministry of Intelligence unit in Mashhad;

Whereas the seven leaders of the Baha'i community, Fariba Kamalabadi, Jamaloddin Khanjani, Afif Naeimi, Behrouz Tavakkoli, Saeid Rezaie, Vahid Tizfahm, and Mahvash Sabet, were arrested between March and May 2008 and have remained in detention;

Whereas, on June 14, 2010, the trial of these seven leaders concluded after four hearings and on June 30 the court issued a 20-year prison sentence for each which was subsequently verbally changed to a 10-year sentence;

Whereas, on October 12, 2009, Christian pastor Youcef Nadarkhani was arrested in northern Iran and faces a death sentence for apostasy after he questioned the Muslim monopoly on religious instruction his children were receiving in school;

Whereas, in recent years, there has been a significant increase in the number of incidents of Iranian authorities raiding church services, detaining worshippers and church leaders, and harassing and threatening church members;

Whereas official policies promoting anti-Semitism have risen sharply in Iran, particularly since President Ahmadinejad came to power in 2005;

Whereas, on July 23, 2009, riot police and security forces injured and arrested 20 Sufi practitioners in Gonabad who then received sentences of flogging or imprisonment in May 2010;

Whereas, in January 2009, Jamshid Lak, a Sufi of the Gonabadi Dervish order, was flogged 74 times after being charged in 2006 with slander after reportedly publicly complaining of ill treatment by the Ministry of Intelligence;

Whereas, in July 2008, plain clothes security officers raided the home of Isfahan Iranian Christians Abbas Amiri and Sakineh Rahnama during a meeting, and both Amiri and Rahnama died of injuries suffered during the raid;

Whereas these individuals were targeted solely on the basis of their religion; and

Whereas the Government of Iran is party to the International Covenants on Human Rights: Now, therefore, be it
Resolved, That the Senate—

(1) condemns the Government of Iran for its state-sponsored persecution of religious

minorities in Iran and its continued violation of the International Covenants on Human Rights;

(2) calls on the Government of Iran to immediately release the seven leaders of the Baha'i community and all other prisoners held solely on account of their religion, including Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, Mrs. Mahvash Sabet, Mr. Vahid Tizfahm, Ms. Raha Sabet, Mr. Sasan Taqva, Ms. Haleh Roohi, and Ms Rozita Vaseghi;

(3) calls on the President and Secretary of State, in cooperation with the international community, to continue to condemn the Government of Iran's ongoing violation of human rights and demand the immediate release of prisoners held solely on account of their religion, including Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, Mrs. Mahvash Sabet, Mr. Vahid Tizfahm, Ms. Raha Sabet, Mr. Sasan Taqva, Ms. Haleh Roohi, and Ms Rozita Vaseghi;

(4) urges the President and Secretary of State to consider implementing further sanctions against officials directly responsible for egregious human rights violations, including against the Baha'is;

(5) calls on the United States Government to continue to support an annual United Nations General Assembly resolution condemning severe violations of human rights, including freedom of religion or belief, in Iran;

(6) calls on the United States Government to press for a resolution condemning severe violations of human rights in Iran, including freedom of religion or belief, at the United Nations General Assembly and at the United Nations Human Rights Council; and

(7) call on the United Nations Human Rights Council to restore the position of United Nations Special Rapporteur on the situation of human rights in Iran with the task of investigating and reporting on human rights abuses in Iran.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4732. Mr. DURBIN (for Mr. LEAHY) proposed an amendment to the bill H.R. 5281, to amend title 28, United States Code, to clarify and improve certain provisions relating to the removal of litigation against Federal officers or agencies to Federal courts, and for other purposes.

SA 4733. Mr. DURBIN (for Mr. WEBB) proposed an amendment to the bill S. 1774, for the relief of Hotaru Nakama Ferschke.

TEXT OF AMENDMENTS

SA 4732. Mr. DURBIN (for Mr. LEAHY) proposed an amendment to the bill H.R. 5281, to amend title 28, United States Code, to clarify and improve certain provisions relating to the removal of litigation against Federal officers or agencies to Federal courts, and for other purposes; as follows:

On page 2, strike lines 8 through 18 and insert the following:

United States Code, is amended—

(1) in subsection (a), in the matter preceding paragraph (1)—

(A) by inserting "that is" after "or criminal prosecution";

(B) by inserting "and that is" after "in a State court"; and

(C) by inserting "or directed to" after "against"; and

(2) by adding at the end the following:

"(c) As used in subsection (a), the terms 'civil action' and 'criminal prosecution' include any proceeding (whether or not ancillary to another proceeding) to the extent that in such proceeding a judicial order, including a subpoena for testimony or documents, is sought or issued. If removal is sought for a proceeding described in the previous sentence, and there is no other basis for removal, only that proceeding may be removed to the district court."

On page 3, strike lines 4 through 19 and insert the following:

"(g) Where the civil action or criminal prosecution that is removable under section 1442(a) is a proceeding in which a judicial order for testimony or documents is sought or issued or sought to be enforced, the 30-day requirement of subsections (b) and (c) is satisfied if the person or entity desiring to remove the proceeding files the notice of removal not later than 30 days after receiving, through service, notice of any such proceeding."

On page 3, strike line 23 and all that follows through page 4, line 6, and insert the following:

SEC. 3. PAYGO COMPLIANCE.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SA 4733. Mr. DURBIN (for Mr. WEBB) proposed an amendment to the bill S. 1774, for the relief of Hotaru Nakama Ferschke; as follows:

At the end, add the following:

(e) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Friday, December 3, 2010, at 9 a.m.

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

PRIVILEGES OF THE FLOOR

Mr. BAUCUS. Mr. President, I ask unanimous consent that the following staff be allowed floor privileges during the consideration of the tax bill: Mary Baker, Danielle Dellerson, Andrew Fishburn, William Kellogg, Nicole Lemire, Deborah Ma, Nicole Marchman, John Merrick, Kane Ossorio, Manishi Rodrigo, and Greg Sullivan.

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