

my attention when I was in Nashville this summer. We met to discuss the plight of the Baha'i in Iran.

The Baha'i faith was founded in Persia in 1844 and is one of the fastest growing religions in the world, with more than five million followers in more than 200 countries and territories. It is the largest non-Muslim religious community in Iran today.

Baha'i followers have been persecuted for their faith by the Iranian Government since their religion was established, but the frequency and severity of the persecutions has increased under the Presidency of Mahmud Ahmadi-Nejad. More than two years ago, a group of seven Baha'i leaders, often referred to as the "Yaran" or "friends," were arrested. They were charged with pursuing propaganda activities against Islam and for spying on behalf of Israel. After more than two years of "temporary" confinement, the seven were tried in a closed court proceeding that did not meet even the minimum international standards for proper criminal procedure and protection of civil rights. The six men and one woman were each sentenced to 20 years in prison on August 8.

This is yet another example of the Iranian Government striking out against its own people. We saw violent examples of this in June of last year, when Iranian citizens began protesting the unfair Presidential election. Those who dare differ with the government face baseless charges, closed court proceedings, extremely harsh sentences, and possibly even death. The international community has expressed its outrage about the sentencing of this group, and Secretary of State Clinton issued a statement on August 12 that reaffirms our country's commitment to protecting religious freedom around the world, including that of the Baha'i in Iran.

This is more than a story from the other side of the world. There are more than 168,000 Baha'i in the United States. There are more than 2,000 in my home State of Tennessee. The men and women with whom I met in August have family members—fathers, mothers, sons, brothers, and in-laws—who have been arrested and imprisoned in Iran simply because of their faith. Their only request was that we, as Members of the United States Senate, continue to do all that we can to keep the spotlight on Iran and its persecution of peaceful citizens.

That is why I wanted to bring this matter to the attention of the Senate today. The United States has already imposed sanctions on Iran by enacting the Iran Sanctions Act. I hope by shining a spotlight on this extreme and continued abuse of peaceful adherence of the Baha'i faith by the Iranian Government, we can, No. 1, reaffirm our commitment to religious freedom around the world; and No. 2, make a little more uncomfortable the regime in Iran which perpetrates these crimes against its own people.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BEGICH). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### MIKHAIL KHODORKOVSKY TRIAL

Mr. WICKER. Mr. President, in June of this year, I joined my friend and colleague, Senator BEN CARDIN, on the Senate floor to discuss an issue of great concern to both of us and to many Americans and to many advocates of freedom and the rule of law internationally. That issue is the ongoing trial in Russia of Mikhail Khodorkovsky and his business partner, Platon Lebedev.

This trial, or what Gary Kasparov writing for the Wall Street Journal called "the latest judicial travesty," came to a close November 2. A decision by the court is expected on December 15.

Khodorkovsky was first arrested in 2003 and convicted in 2005. This trial was unfair and politically motivated according to Western human rights groups, Western media, and many other independent observers. There is broad opinion that this second trial has been staged, has not provided the opportunity to judge facts in a clear, impartial manner, and in general has not honored the rule of law.

I know this is not a jury trial. The finder of fact is a single judge. Many have claimed that this judge has come under both direct and indirect pressure in this case. In addition, the prosecution has used language in closing arguments as if a guilty verdict had already been rendered. Sadly, there seems to be little hope for a just verdict from this second trial, and now Khodorkovsky and Lebedev will face the prospect of many more years in jail. These men have already served 7 years in prison and paid an unjust price for a politically inspired campaign against them. They have sacrificed much of their lives, their freedoms, and their rights. It is time for both men to be set free and for justice to be served in Russia.

This case is broader than Khodorkovsky and Lebedev as individuals. It raises the question about whether there are truly independent functioning institutions in Russia. A guilty verdict would show that when Russian authorities want to, they can act above the law, as they did in the first trial. It would also underscore that property rights in Russia are meaningless, sending a chilling message to investors and businesses alike, both domestically in Russia and internationally. I fear we will see more cases where rights are violated and the legal process undermined.

Thankfully, it is becoming increasingly difficult for Russian authorities

to hide the illegitimacy of the charges and the process. Government officials, human rights activists, journalists, and others continue to raise questions about the legitimacy of this trial.

Some might suggest that we in the Congress and we in America should refrain from commenting on cases in a sovereign nation's court system. I disagree. I do not think this is true when a nation's court system is clearly not independent and is being used to undermine the rule of law and fundamental democratic principles.

I have led efforts to support congressional resolutions and hearings to draw attention to specific issues about this case because I believe they are symbolic of broader and disturbing trends in Russia. I and other colleagues in the Senate will continue to do so.

As I said in June of this year:

The United States stands behind those who call for freedom from tyranny and justice around the world. We must continue to stand with Mikhail Khodorkovsky and Platon Lebedev.

As a second flawed trial comes to conclusion, this is truer now than ever before. The international community will be closely watching the outcome of this case. I urge my colleagues, President Obama, and the administration to do the same. I hope Russia will choose the right path and somehow that justice will prevail in this infamous case.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

#### WELCOMING HIS EXCELLENCY BRONISLAW KOMOROWSKI

Mr. DURBIN. Mr. President, on April 10, 2010, as word spread of the tragic plane crash that killed President Lech Kaczynski, First Lady Maria Kaczynski, and scores of other Polish patriots, Poles gathered by the thousands outside St. John's Church in Warsaw, grieving for their terrible loss. That loss was also felt around the world. On that unspeakably sad day, I visited the Polish Consulate in Chicago to pay my respects. People were streaming to the consulate from all over Chicago and throughout the Midwest. They drove with Polish flags proudly displayed on their cars and waited in long lines to sign the condolence book, leave flowers, or simply whisper a prayer.

Days later, the U.S. Senate observed a moment of silence for all those who lost their lives in the Katyn Forest in Smolensk and for the heartbroken people of Poland. Some asked then: How will Poland survive such a devastating loss?

The people of Poland did so by relying, as they always have, on faith, family and freedom. On July 4, the Polish people chose their fourth democratically elected leader. Today, that leader, President Bronislaw Komorowski, is making his first visit as President of Poland to the United States. We are honored he is here.

Mr. Komorowski is a descendent of Polish nobility, a historian by training, and a lifelong freedom fighter. He took part in his first anti-Communist protests as a high school student in 1968. As a young man, he defied communist authorities by lighting candles and posting banners at the Katyn section of the historic Powazki Cemetery in Warsaw, the resting place of many Polish heroes. He served as Poland's defense minister in 2000 and 2001 and became Speaker of the Sejm, Poland's House of Representatives, in 2007. The day after he was elected President, President Obama invited him to visit the United States. The two Presidents are meeting in the White House today.

As a boy growing up in East St. Louis, IL, I knew without a doubt that the greatest man on Earth was the son of a Polish Immigrant to America. He was born Stanisław Franciszek Musiał, but America came to know and love him as Stan "The Man" Musial. He was the heart and soul of the St. Louis Cardinals of my youth and one of the best outfielders in baseball history.

In school, I learned that American history is, in fact, filled with Polish and Polish-American heroes—men and women who helped lift this country into what it is today.

Polish craftsmen were already hard at work helping to build the colony of Jamestown when the Pilgrims landed at Plymouth Rock. In 1619 when the Virginia House of Burgesses refused to extend to the Polish workers the "rights of the Englishmen," including the right to vote, the Polish people began and won the first recorded strike in the New World.

More than a century and a half later, two valiant sons of Poland stepped forward and joined America in our effort to gain independence. Thaddeus Kosciuszko landed shortly after the signing of the Declaration of Independence and, upon learning of the document, decided that he must meet the author. He and Thomas Jefferson became friends. He built the United States Military Academy at West Point and helped lead American troops in their improbable and crucial early victories at the Battles of Saratoga and Ticonderoga. Years later, Thomas Jefferson called him "as pure a son of liberty as I have ever known," and statues of him stand today at West Point and in Lafayette Square across from the White House.

Casimir Pulaski was drawn to the same idea of freedom and became a brigadier general in the Continental Army. He was the "father of the US Cavalry," saved George Washington's Army at the Battle of Brandywine and gave his life for American independence at the Battle of Savannah. He has a statue in his honor here in Washington, DC, and is held in such high regard by my home State of Illinois that there is a statewide holiday so that all residents may pay their respects.

And when the time came for Poland to seek its freedom in 1989, the United

States was at its side. It is astonishing to consider the changes that took place over these two decades. Poland today is a major force in Europe and a brave and indispensable leader in the effort to finish the work of making Europe whole, free and at peace with itself. Poland stood with its Baltic neighbors—including Lithuania, the land of my mother's birth—as they, too, have reached for democracy and freedom.

Poland's historic entry into NATO in 1999 has led to invaluable Polish contributions to peace and stability—not only in Europe, but around our world. Polish soldiers fought side-by-side with Americans in Iraq, standing with us even during the darkest days of that war. Today, more than 2,500 Polish soldiers are serving in Afghanistan, and Poland is leading a Provisional Reconstruction Team in one of the most dangerous and challenging areas in that nation. Poland has also agreed to allow a US missile defense base on its territory in order to help defend Europe from new security threats from those who may not share our values.

In 2004, Poland joined the European Union, symbolically ending the long and unjust Cold War division of Europe. As a member of the EU, Poland has also shown great leadership in its transition to a free market economy. Indeed, it is the only nation in Europe to have avoided a recession during the financial crisis, and its economy is growing faster than almost any other nation in Europe. Thirty years after the birth of Solidarity in the shipyards of Gdansk, Poland today is at the forefront of efforts to build a new cooperative relationship with Russia, while also helping other Central and Eastern European nations build up their own democratic institutions and market economies and find their rightful place in the new Europe.

The United States and Poland are connected by strong bonds of shared history and shared values. We are more than allies; we are family. More than 9 million Americans trace their roots to Poland. I am proud to represent Chicago, the most Polish city outside of Poland. Even today, there are neighborhoods in Chicago where you can scarcely walk a block without hearing someone speaking Polish. I am proud to welcome the President Komorowski, and I hope for the continued strong relationship between Poland and the United States for many years to come.

#### HONORING OUR ARMED FORCES

CORPORAL CHAD S. WADE

Mrs. LINCOLN. Mr. President, today I honor Corporal Chad S. Wade, 22, of Bentonville, AR, who died December 1 while conducting combat operations in Helmand province, Afghanistan.

My heart goes out to the family of CPL Wade who made the ultimate sacrifice on behalf of our Nation. Along with all Arkansans, I am grateful for his service and for the service and sacrifice of all of our military service-members and their families.

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 Americans, 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.

Corporal Wade was assigned to the 2nd Battalion, 1st Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

#### LEGISLATIVE INTENT—H.R. 2142

Mr. AKAKA. Mr. President, H.R. 2142, as amended, will modernize and refine key aspects of the Government Performance and Results Act, or GPRA, while keeping the statutory foundation established by the act in place. I was pleased to join Mr. LIEBERMAN, Ms. COLLINS, and Mr. VOINOVICH in cosponsoring the substitute amendment Mr. CARPER offered at the September 29, 2010, business meeting held by the Committee on Homeland Security and Governmental Affairs, and I strongly support the bill. I would, however, like to take this opportunity to clarify the intent of the legislation on a matter of great importance. Concerns have been raised that this legislation will prohibit Federal agencies from being assisted by non-Federal parties when preparing GPRA reports. It is my understanding that, in reporting favorably H.R. 2142, as amended, the committee chose not to change the language in GPRA that made the preparation of agency strategic plans, annual performance plans, or annual program performance reports an inherently governmental function. May I ask the Senator from Delaware, as the primary sponsor of the substitute amendment to H.R. 2142, to clarify the intent of the provisions contained in H.R. 2142, as amended, which address the issue of inherently governmental functions?

Mr. CARPER. My friend is correct. This bill will not change the language in GPRA statutes addressing inherently governmental functions. It merely extends existing GPRA standards to apply to the new requirements established by H.R. 2142, as amended, that did not exist in 1993, such as the Federal Government and agency priority goals, along with agency performance updates. As you know, in addressing the issue of inherently governmental functions, the Government Performance and Results Act of 1993 Report of the Committee on Governmental Affairs states:

The preparation of an agency's or the Postal Service's strategic plan, annual performance plan, and annual program performance report under this Act are declared to be inherently governmental functions. In defining