

UDALL are still on the floor, I wish to extend a word of appreciation to both of them for the work they put into trying to solve the problem of the filibuster—more particularly, the problem of the abuse of the filibuster rule in this body.

We have come to a resolution that is not the rules change many of us hoped for. Experience will be the test of whether the understanding that has been reached between the leaders has any meaning or impact in the way this Chamber conducts its business. I hope that experience shows this was a productive agreement. If not, we will have to come back and revisit the rule.

I very much doubt the agreement that was reached between the two leaders and expressed on the floor today would have happened had it not been for the efforts of a great number of Senators who argued very hard for this change but most particularly Senator TOM UDALL and Senator JEFF MERKLEY. I am very pleased to stand and give them a word of recognition for the enormous amount of effort and energy and persistence and argument and conviction that all went into this effort.

I will close with one point that I think bears remembering as we evaluate whether the test of experience is met in the future, and that is what the filibuster changed into, what was really going on on the floor as we all sat in the Chamber.

We remember the glory days of the filibuster when you had Senators on the floor reading from the phonebook, standing here as long as they could. The famous example of it from Hollywood, of course, was Jefferson Smith in the famous movie by Frank Capra, "Mr. SMITH Goes to Washington." There is that wonderful scene in the movie where the reporter is upstairs in the gallery, and he is covering what Jimmy Stewart is doing down here. He describes the filibuster. He is talking into his microphone. He says: The filibuster is going on down there. It is democracy's finest show—the right to talk your head off. The American privilege of free speech in its most dramatic form. One lone and single American holding the greatest floor in the land, bleary-eyed, voice gone. You can hear the drama of it. That was the filibuster of old, and that is the filibuster Americans understand. It made it very hard for Americans to understand when we said: Oh, there is a filibuster going on in the Senate, and they turned on C-SPAN and there was nobody here. The Senate floor was silent, except for the quiet voice of the clerk slowly droning through the names of Senators in a tedious, ineffectual quorum call.

The quorum call became the emblem of the modern filibuster. Why is that? That is because the filibuster rule requires a 30-hour debate period when cloture is invoked to stop a filibuster. If you are the minority party and you can force the majority leader to invoke cloture, what have you just done? You

have accomplished a very valuable prize: You have taken 30 hours of the time of this Senate and you have dedicated it to debate on a proposition and you do not actually have to debate the proposition. You just let the quorum calls roll, and you burn 30 hours of the Senate's time.

The New York Times reported that Democrats have been forced to break 275 filibusters in the past two Congresses. If we had to burn the 30 hours for cloture in every one of those filibusters, the math on that is 8,250 hours lost to the Senate, lost to silence and ineffectual, droning quorum calls. If you count 8-hour days, that is more than 1,000 days of time wasted, of work undone, of the authority of the Senate and of this branch of the U.S. Government stripped away and consigned to the dustbin of wasted time.

The test as we go forward is going to be how often that strategy of just burning the time of the Senate is used. One important measure is, will we see these filibusters and forced cloture motions on things that end up being not very contentious? The people would ask me: Why are they filibustering this? They don't really object to this.

This is not like civil rights in the old days when people were violently opposed to it. They would come to the floor, and they would filibuster their heads off. This is a different strategy. Under the modern strategy, you do not just filibuster the bills you hate; you filibuster everything because that is more of those 30-hour blocks of time burned, chucked in the dustbin, unavailable for the work of this body and this country.

I hope very much that the spirit of this shows itself in experience on the floor. I applaud Senator ALEXANDER and Senator SCHUMER for having reached that agreement. I applaud the two leaders for having formalized it in their colloquy on the Senate floor earlier today. But, as Ronald Reagan used to say, trust but verify. And we will have the chance to verify in the coming weeks and months whether, in fact, the abuse of this rule is done with and we get back to being the Senate of which we can be proud or whether the abuse continues and we continue to be a Senate frustrated by endless quorum calls and delay and obstruction and a continued inability to do the basic business of this country. I hope we turn out much for the better.

I yield the floor.

#### NEVADA NATIONAL SECURITY SITE

Mr. REID. Mr. President, I rise to recognize the 60th anniversary of the Nevada National Security Site, N2S2. The Nevada National Security Site, formerly known as the Nevada Test Site, has played an important role in keeping our Nation safe and will continue to do so as we face new security challenges.

On January 27, 1951, a half kiloton nuclear weapon called "Able" was

dropped on N2S2, launching a 40-year era. In that instant, N2S2 became the Nation's most important nuclear weapons proving grounds. I am thankful for the work done by the men and women at the site who dedicated their careers and sacrificed their health to keeping America safe. Nearly 20 years after our Nation's last nuclear test, I am proud to say that N2S2 is still helping secure America with a new mission tailored to 21st century threats and making us energy independent.

Mr. President, 928 atmospheric and underground tests were performed at the N2S2 before the United States established a moratorium on nuclear weapons testing in 1992. The vast majority of testing in this period took place underground in a network of tunnels and shafts. Even though these tunnels were designed to contain radiation from the explosions, thousands of N2S2 workers still experienced radiation exposure from most of the underground detonations.

In 2000, after a number of my colleagues and I had begun to hear disturbing stories about illnesses our Cold War veterans had gotten from their nuclear weapons work and their inability to get any financial compensation from the government, we passed the Energy Employees Occupational Illness Compensation Program Act. This legislation was designed to allow thousands of America's Cold War veterans receive compensation that would help pay their medical bills and honor the sacrifices they and their families had made for our country.

Unfortunately, it soon became clear that even with this new law, it would not be easy for many workers to get the compensation they deserved. In 2005, I again began to hear from workers and survivors—this time complaining that they were being put through an endless stream of bureaucratic red tape only to be denied in the end. I was enraged that these workers were denied compensation, so I worked for the next 5 years before successfully securing automatic compensation for most of Nevada's Cold War veterans and their families.

On August 23, 2010, I joined Tom D'Agostino, the administrator of the National Nuclear Security Administration, and officials from the State Department, Department of Homeland Security, and Department of Defense to recognize the continued importance of one of our Nation's vital national security sites. We established not only a new name, but a new mission for N2S2. Changing the site's name from the Nevada Test Site to Nevada National Security Site reflects the unique opportunities to use the site for detecting dangerous weapons, treaty verification, fighting terrorism and nuclear smuggling, and training first responders.

The Nevada National Security Site is the ideal laboratory for this work. It is uniquely secure, and close to Nevadans who are eager to get back to work as soon as they can find a good job. And it

already has a workforce of 3,000 men and women dedicated to serving their country.

The Nevada National Security Site is not only breaking ground on new ways to keep us safe from weapons; it is also breaking ground on developing clean energy technologies that will make us energy independent. The former nuclear weapons proving ground will soon be a proving ground for advanced solar energy technologies. Last August, I joined Energy Secretary Chu and Interior Secretary Salazar to designate a 17,000 acre portion of N2S2 as the Nation's solar demonstration zone for testing the most innovative and promising solar technologies in an area with almost perpetual sun shine.

When Nevadans and all Americans look at the N2S2, they will see opportunities embodying the core values of innovation, leadership and security. I ask all my colleagues to join with me and the people of Nevada in recognizing the Nevada National Security Site's 60th anniversary, its rich history and bright future.

#### TRIBUTE TO SARAH BRACHMAN

Mr. REID. Mr. President, I rise today to honor Sarah Brachman, who has received the 2011 Advocate of the Year Award from the National Down Syndrome Society.

Throughout her life, Sarah has been dedicated to the important cause of raising awareness and increasing public understanding of Down syndrome. She has been instrumental in the growth of the Congressional Down Syndrome caucus and has assisted in pushing their initiatives through legislation, all the while helping their membership increase. As a result of her efforts, more than 30 Members of Congress have now joined the caucus.

I am proud of all that Sarah has accomplished, and all she will continue to achieve. Along with the National Down Syndrome Society, I congratulate Sarah Brachman for her concerted effort and dedicated service.

#### REMEMBERING WILLARD "BILL" LOWERY

Mr. McCONNELL. Mr. President, I rise today to honor the extraordinary life and career of Mr. Willard "Bill" Lowery, who passed away on December 20, 2010. He was 80 years old. As a beloved member of his community in Burnside, KY, Bill was a prime example of a man who poured his heart into serving and protecting his family, his community, and his country.

Born in Pulaski County, KY, Bill not only served his community selflessly, but touched the lives of all who had the pleasure of meeting him. He courageously served in the U.S. Army during the Korean War, and continued his public service as a Burnside police officer. It is no wonder that Bill's friendly demeanor and dedication earned him the position of chief of police, which he held for 6 years.

Bill continued to serve his community as an employee at the Pulaski County Detention Center, a member of Blue John Baptist Church, the American Legion Post 38, and, even more impressively, as a 50-year member of the Burnside Masonic Lodge. It is evident that the people in this close-knit community respected and valued Bill's tireless dedication, when more than 50 residents, including fellow police officers, lined the streets of Burnside following his funeral procession to pay their respects.

I could surely continue to praise the works and accomplishments of this hard-working and humble man, but I would simply ask that my colleagues join me in remembering this unsung hero, who showed incredible character and relentless dedication in service to his community, his country, and the Commonwealth. My thoughts go out to his beloved wife Wanda, his son Eugene, his two daughters, Alice and Penny Jo, 6 grandchildren, and 14 great-grandchildren, and many other beloved friends and family members.

The Commonwealth Journal in Somerset, KY, recently published a story about Bill Lowery. I ask unanimous consent that the article be printed in the RECORD.

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

CITIZENS HONOR LATE POLICE CHIEF LOWERY  
ALONG U.S. 27  
(By Chris Harris)

Anyone who saw dozens of individuals lining U.S. 27 last Thursday and holding signs might have wondered what was going on. If one looked at the signs closely enough, the answer would be evident.

The life and career of Willard "Bill" Lowery, who passed away Monday, Dec. 20 at the age of 80, was honored last week by friends and Burnside neighbors.

It was a fitting way to begin the mayoral career of Ron Jones as well. Jones, who was chosen as mayor of Burnside in the November elections, played a role in making the tribute reality, and his wife Emma Lou is credited with being one of the primary organizers of it.

"Ms. Emma Lou arranged for everybody to make signs," said Penny Johnson, one of Lowery's daughters. Lowery had three children—son Eugene and daughters Alice and Penny.

The funeral was held last Thursday at Lake Cumberland Funeral Home. Two Burnside police cars followed the funeral procession, led by Chief Craig Whitaker—one car in front, one in the back—to the Blue John Cemetery, where Lowery was buried. The Burnside police officers stopped at the intersection of the Ky. 914 bypass and U.S. 27 and halted traffic for a salute to Lowery.

Starting near Guthrie's River House restaurant in Burnside, the highway was lined all the way into downtown Burnside with individuals holding signs to remember Lowery. Johnson estimated about 50 people took part in the tribute.

"Lowery was a dedicated police officer for our community for a long time," said Ron Jones. "We felt like he should be given some recognition, and recognition to his family."

When Jones moved to Burnside in the mid-1970s, Lowery was one of the first people Jones met. They maintained a friendship throughout the years.

"Back then, they were just a one-man team," said Jones of the Burnside Police Force in Lowery's day. "Things sure have (changed). It's not such a sleepy little town anymore."

Lowery was Chief of Police in Burnside from 1969 to 1975. He was also retired from the Pulaski County Detention Center, and was a 50-year member of the Burnside Masonic Lodge #634, a member of the American Legion Post 38, a U.S. Army veteran of the Korean War, and attended the Blue John Baptist Church.

"It touched my heart," said Johnson of the tribute to her father. "I don't even know what the words are to say. It's unbelievable what the community did for him so that his legend lives on forever. It was just overwhelming."

#### DATA PRIVACY DAY

Mr. LEAHY. Mr. President, I join privacy advocates, industry leaders and government officials from across our Nation in celebrating Data Privacy Day 2011—a day to raise awareness about data privacy practices and rights.

Today, Americans from all walks of life reap the countless benefits of the Internet and the latest technological advances. But, with these many rewards, comes growing uncertainty and unease about how sensitive personal information is collected, shared and stored.

In the digital age, our Nation faces the difficult challenge of protecting our computer networks from cyber threats. At the same time, we must encourage American innovation and respect privacy rights.

Data Privacy Day provides an important opportunity to remind all Americans about how essential privacy is to our daily lives. This day is also a time for us in Congress to remember the important work that we must complete to better protect digital privacy rights. As the chairman of the Senate Judiciary Committee, I will continue to do my part.

This year, I will continue—and hopefully complete—work on bipartisan data privacy legislation that will better protect Americans' sensitive personal data and reduce the risk of data security breaches. The Senate Judiciary Committee has favorably reported my Personal Data Privacy and Security Act three times. We must finish this pressing work during the 112th Congress and finally enact comprehensive data privacy legislation.

I will also continue the important work that the Judiciary Committee began during the last Congress to update the Electronic Communications Privacy Act, ECPA, so that our digital privacy laws keep pace with the information age. When I first wrote ECPA in the mid-1980s, no one could have imagined the technological advances and threats to digital privacy that we see today. Updating this law to reflect the realities of our time is essential to keeping us safe from cyber threats and critical to ensuring that our Federal privacy laws keep pace with advancing