

CASEY, MENENDEZ, and SCHUMER for their leadership on this issue. I also thank our partners in the House for their work, and let me thank Chairman ROCKEFELLER and Ranking Member HUTCHISON for considering this amendment.

I hope Senators on both sides of the aisle will join me in voting for this amendment that will protect our public safety against this new hazard.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent to be added as a cosponsor to this superb amendment.

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

Mr. ROCKEFELLER. I have some notes, but the distinguished Senator from Rhode Island has exhausted my brilliant notes in his own speech. Just let it be said that it is an extraordinarily dangerous situation, this whole concept of stronger lasers, more carefully targeted lasers from greater distances, and being able to do it from behind trees and hidden places blinding, probably temporarily at this point but maybe permanently as they become stronger or doing damage to the eye.

When the Senator spoke about having to turn over the duties of landing the airplane or taking off the airplane to a copilot because of this threat, it makes me worry that it is going to get worse because this is kind of easy to do. In essence, it becomes an act of terrorism, not just the problem of safety for the airplane and its passengers and the pilots.

It is a superb amendment. It is my strong feeling it will pass this body easily and it will become law. The Senator from Rhode Island deserves enormous credit for bringing this to the attention of the Congress.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. I thank the distinguished chairman for his very kind words. Let me thank him for his efforts to support this amendment. His cosponsorship is extremely important. I look forward to working with whatever I can bring to get this amendment successfully adopted into the bill and to get the bill successfully passed. I very much appreciate the chairman's distinguished leadership.

Mr. ROCKEFELLER. Mr. President, I reluctantly suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent the order for the quorum call be rescinded.

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

#### MORNING BUSINESS

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Sen-

ate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

#### TRIBUTE TO ANDRE KIRK AGASSI

Mr. REID. Mr. President, I rise today to recognize the extraordinary achievements of Andre Kirk Agassi, professional tennis player and fellow Nevadan, for his induction into the International Tennis Hall of Fame earlier this month.

He was born on April 29, 1970, in Las Vegas to Mike and Betty Agassi. The son of a former Iranian Olympic boxer, Andre Agassi's father taught him to play tennis at a very young age. At 16 he made his professional debut, and 1 year later he won his first singles title. He quickly rose to the international stage and was soon ranked No. 1 in the world. He continued to represent Nevada and the United States, as well as athletes by winning a gold medal, which he earned at the 1996 Olympic Games in Atlanta, and by capturing eight Grand Slams.

He is known as one of the most impressive champions in tennis history, and his charisma for the game drew attention and rivals alike. Many recall the great tennis rivalry with Pete Sampras of the mid-1990s which recaptured a robust following of tennis fans.

Despite his tremendous success as an athlete, his accomplishments off the court are just as impressive. After his first Grand Slam title, Agassi founded the Andre Agassi Charitable Association, which has raised more than \$60 million to help disadvantaged youth in Nevada. In 2001, he also established a charter school for children in underserved communities and has funded countless scholarships. And just as he achieved the No. 1 ranking as a tennis player, Agassi recently reached the top spot on the New York Times Best Sellers List when he released his autobiography.

I commend Andre for his efforts and extend my congratulations to his wife Steffi and their two children. Andre Agassi is an inspiration to all Nevada's student-athletes and I am pleased that his hard work and excellence is being recognized with the highest honor an athlete can receive.

#### DELISTING OF THE GRAY WOLF

Mr. KYL. Mr. President, I have joined my colleagues to introduce legislation to amend the Endangered Species Act of 1973 to remove the gray wolf. The Endangered Species Act has proved a failure for wolf conservation. I believe Congress must pave the way for a new State-based approach.

Since the listing of the gray wolf as endangered in 1976, the Federal wolf recovery programs have been in continuous litigation. The latest Federal district court decision returning the Rocky Mountain gray wolf to the En-

dangered Species List despite a population in excess of agreed upon recovery goals was the last straw. It is evident now that science is not driving recovery; rather, judicial decisions and consent agreements with special interest groups are dictating the fate of wolves and impacted communities. Despite the authorities and responsibilities conveyed to States by Congress under section 6 of the Endangered Species Act, State wildlife agencies have become mere bystanders in wolf management under this paradigm.

Take the Mexican gray wolf in the Southwest. The U.S. Fish and Wildlife Service, USFWS, has not been able to revise the recovery plan for that wolf in 28 years. Why? Because of the litigious nature of activist organizations. Another attempt to overhaul the program and develop a recovery plan is under way, but USFWS estimates that plan is at least 4 to 6 years away, assuming no litigation. We can't expect the public or the wolves to continue to wait.

Acceptance of wolves on the landscape requires preventing, mitigating and responding to livestock depredation and nuisance issues on public, private and tribal lands. It requires trust and implementation of solutions collaboratively developed by local stakeholders. It's time to give States the chance to demonstrate that they can make wolf conservation work for both people and wolves.

Restoring wildlife is not new to States or tribes. In my home State of Arizona, the Game and Fish Department has been very successful in collaborative conservation. A great example is the Southwestern bald eagle. The Game and Fish Department's intensive interagency management of this species has increased its numbers and prevented its listing. The Arizona Game and Fish seeks to apply this proven approach to wolf conservation. This bill, if enacted, would give them the opportunity.

I ask unanimous consent that the following documents be printed in the RECORD in support of this legislation: a letter from the Arizona Game and Fish Department dated December 7, 2010, and a resolution adopted by the Western Association of Fish and Wildlife Agencies dated January 9, 2011.

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

THE STATE OF ARIZONA,  
GAME AND FISH DEPARTMENT,  
Phoenix, AZ, December 7, 2010.

Hon. JOHN MCCAIN,  
U.S. Senate,  
Washington, DC.

Hon. JON KYL,  
U.S. Senate,  
Washington, DC.

Hon. TRENT FRANKS,  
House of Representatives,  
Washington, DC.

DEAR SENATOR JOHN MCCAIN, SENATOR JON KYL AND CONGRESSMAN TRENT FRANKS: The Arizona Game and Fish Commission has concluded it is beyond time to try a different approach to Mexican wolf conservation. We ask

that you help us do that by working with other members of Congress to delist the gray wolf nationwide (i.e. including the Mexican wolf) and place the conservation burden for this species on the States and willing Tribes. Restoring wildlife is not new to either the States or the Tribes. Witness what has been accomplished with many other species since the early 1900s. And recognize that when the U.S. Fish and Wildlife Service (USFWS) speaks with justifiable pride about its efforts to recover endangered and threatened species, many, if not most, of those efforts are carried out by or at least with substantial assistance from State and Tribal wildlife agencies.

After a lengthy public session on December 4, the Arizona Game and Fish Commission (Commission) voted 4-1 to support Congressional actions to delist the gray wolf from protection under the Endangered Species Act (ESA) of 1973, as amended. The vote reflects the fact that we do not want to get out of the wolf conservation business; rather, we want to get in deeper but more affordably, efficiently and effectively. Bureaucratic process compelled by litigation has driven the cost of Mexican wolf conservation out of reach for States, Tribes and private stakeholders. We cannot print our own money.

According to USFWS estimates, we are faced with the prospects of at least 2 years of recovery planning, 4-5 years of environmental impact analysis and 1 to 2 years of federal rulemaking. Even if some of the Federal process can occur simultaneously, and even if litigation does not draw the process out (an extremely unlikely event), it would likely be 4 to 6 years before all the pieces are in place to effect significant change in the current approach to Mexican wolf recovery through reintroduction. We want to put precious State resources, public resources and private resources into on-the-ground wolf conservation rather than regulatory process and legal fees.

The Commission sees this as an opportunity to break through the litigation and Federal process gridlock in Mexican wolf recovery and reintroduction that has impeded progress since 2001 and welcomes the opportunity to manage this important species. The Commission desires to work with every stakeholder and all who are willing to come to the table to seek (and collaboratively fund) solutions to issues. Local governments, sportsmen, livestock operators, environmentalists and the White Mountain Apache Tribe have all repeatedly stated their support for Mexican wolf conservation in Arizona, as has the Commission. Opponents of wolf conservation are a distinct but vocal minority.

If the Mexican wolf were delisted by Congressional action, the Commission would anticipate taking the same approach to its conservation that we have taken with the Southwestern bald eagle. We would sustain the interagency conservation effort that has been in place since 1998 but modify it as necessary to address significant problems that were identified in program reviews in 2001, 2002 and 2005. USFWS is our most important agency partner in wildlife conservation and we would work closely to engage them under a new paradigm developed with our stakeholders. We are confident that, unfettered by the regulatory and litigation gridlock that has peaked over the past three years, we and willing cooperators in the governmental (including USFWS and Tribes) and nongovernmental sectors could find an appropriate balance among the more significant needs for and constraints on Mexican wolf conservation. Such a balance would result in an ecologically appropriate wolf population, sufficient prey populations to support the wolves without eroding hunter opportunity or un-

necessarily reducing other outdoor recreation, and with significantly reduced uncompensated impacts on public, Tribal and private lands livestock producers in Arizona.

Maintaining a robust Mexican wolf conservation program is fundamental to our commitment to wildlife under Arizona Revised Statutes Title 17 and is indicative of our commitment since 1985 under Section 6 of the ESA to maintain an "adequate and active program for the conservation of endangered species and threatened species." We have invested more than \$5 million in Mexican wolf conservation and since 2003 the Department has been the primary glue holding the interagency Arizona-New Mexico wolf reintroduction project together at the agency oversight and field levels. We have tried everything possible, short of legal action or Congressional intervention, to remedy the gridlock resulting, in large part, from litigation. The U.S. Fish and Wildlife Service has been unable to respond as necessary to resolve even the most obvious significant problems, perhaps largely because of legal and policy issues stemming from litigation over the Northern Rockies and Western Great Lakes gray wolf programs as well as the Mexican wolf program, but also, at least in part, because of the complexity and rigidity of Federal regulatory processes. Regardless, the livestock producers affected by Mexican wolf reintroduction simply cannot afford more years of gridlock and neither can Arizona Game and Fish. Further, Arizona cannot afford to continue investing significant time and money in wolf conservation only to arrive at a day when, as has occurred in the Northern Rockies and Western Great Lakes, special interest groups with public lands agendas much broader than wolf conservation refuse to accept as recovered even a population of wolves that is several times larger than required by an approved Recovery Plan they helped develop.

We realize Congressional listing or delisting of any species would usurp authorities conveyed through the ESA to the Secretaries of Interior and Commerce. That would set a precedent few if any of us have ever wanted to see, including Arizona Game and Fish. However, none of us ever anticipated the degree to which the judiciary would usurp those same authorities in an environment of continuous litigation under the ESA and the Administrative Procedures Act. Congressional delisting is not a step that we advocate lightly but the Mexican wolf was included in the 1976 Federal listing of the gray wolf as endangered and there is still no indication the ESA-driven approach to recovery will ever be successful. In fact, there is ample evidence to the contrary. USFWS has not been able to revise the Recovery Plan in 28 years; how can anyone possibly hope it can achieve Mexican wolf recovery in our lifetimes under the current procedural morass that constrains it?

Congressional delisting would represent sailing uncharted waters fraught with unforeseen challenges. So be it. Far better to test ourselves against those challenges than to allow the current gridlock to force us all to continue doing the same unproductive things over and over again for another decade; with litigation at virtually every step of the way, no change in outcome and no greater hope for success in our lifetimes. A decade from now, we would much rather regret having stepped boldly and failed than having wasted another 10 years trying to make the litigation-driven approach to Mexican wolf conservation work.

It is truly ironic that successful conservation of the Mexican wolf might hinge on removing it from the control of the Congressional Act that was intended to save it.

Please let me know if there is anything more I can do to encourage or facilitate your

consideration of this crucial issue. I would be happy to send a member of my staff to Washington, D.C. to provide key members of your staffs a more detailed description of the gridlock I have referenced above. One member of my staff has worked with Mexican wolf conservation for 28 years and has a comprehensive grasp of the story from the beginning through present times. It is a compelling story that makes the depth of frustration among Arizona stakeholders more understandable.

Representatives from sportsman, environmental, livestock producer, Tribal and local government stakeholders are prepared to accompany my staff to answer your questions regarding this situation and the need for constructive change. An alternative would be for key members of your staffs to meet with these stakeholders in Alpine, Arizona, so a better appreciation of the local situation could be provided, possibly through a tour of "wolf country" in Arizona. I would be equally happy to facilitate such a meeting, as I believe would any of the three County governments in eastern Arizona that are among our most constructive cooperators in Mexican wolf conservation.

Thank you for your consideration.

Sincerely,

LARRY D. VOYLES,  
*Director.*

#### RESOLUTION

##### DELIST THE GRAY WOLF AND RESTORE MANAGEMENT TO THE STATES

Whereas, the northern Rocky Mountain distinct population segment of gray wolves exceeded the U.S. Fish and Wildlife Service recovery level of thirty or more breeding pairs in 2002; and

Whereas, population estimates as of 2009 include at least 1,700 animals well distributed among Idaho, Montana, and Wyoming; and

Whereas, the remarkable increase in gray wolf populations was only possible because of the historic management and stewardship of ungulates by state fish and wildlife agencies; and

Whereas, a primary purpose of the Endangered Species Act (ESA) is to "provide a means whereby the ecosystems upon which endangered species and threatened species depend may be conserved, to provide a program for the conservation of such endangered species and threatened species, and to take such steps as may be appropriate to achieve the purposes of the treaties and conventions set forth in subsection (a) of this section."; and

Whereas, the primary purpose of the ESA has clearly been achieved for the gray wolf, and gray wolves have recovered in the States of Idaho, Montana, and Wyoming; and

Whereas, a lack of delisting, given the species has met recovery goals, can result in an erosion of public acceptance of wolves and the ESA; and

Whereas, State wildlife agencies are the competent authorities to manage resident species for their sustained use and enjoyment; and

Whereas, the overall aim of the ESA is to recover species such that the species can be managed by the appropriate entity. State wildlife agencies are the appropriate entities to assume management of the gray wolf as a resident species; and

Whereas, delays in federal decision-making, induced partly by citizen-suit litigation over virtually all aspects of Mexican gray wolf recovery, have, after 34 years of protection under the ESA, including 12 years of reintroduction efforts, resulted in failure to recover the Mexican gray wolf; and

Whereas, the States of Arizona and New Mexico, the White Mountain Apache Tribe,

various local governments and local stakeholders are willing and able to use incentives and interdiction measures without being encumbered by the gridlock resulting from federal listing, to increase the Mexican gray wolf population to levels in both states that, coupled with conservation efforts in Mexico, would establish and maintain a rangewide population of Mexican gray wolves that is self-sustaining and managed at levels sufficient to meet scientifically-valid population objectives. Now, therefore, be it

*Resolved*, That the Western Association of Fish and Wildlife Agencies supports and endorses immediate delisting of gray wolves in the WAFWA member states from the ESA, either through legislative or administrative means, and that this species be managed by the respective State wildlife agencies.

Mr. MCCAIN. Mr. President, I am pleased to have joined my colleagues in introducing legislation that would delist the gray wolf from endangered species status thereby returning wolf population management to the respective State wildlife agencies. As my colleagues know, Federal efforts to recover the gray wolf and related subspecies are controversial throughout the West and Midwest including my home State of Arizona.

Officially listed in 1974, the gray wolf was among the first animals protected under the Endangered Species Act. At that time, gray wolves were undoubtedly a broken species, hunted to near extinction by western pioneers. But in the 1990s, the U.S. Fish and Wildlife Service launched an ambitious wolf re-population effort in several States where wolves had been eradicated. Federal biologists released dozens of wolf breeding pairs into parts of Montana, Wyoming, Idaho as well as Arizona and New Mexico in the hopes that these so-called experimental populations would reestablish their historic ranges.

In the northern Rocky Mountains, these efforts largely paid off in 2002 when the U.S. Fish and Wildlife Service announced that it achieved its population goal of 30 breeding pairs and 300 wolves in Idaho, Montana and Wyoming. In fact, the Rocky Mountain Wolf Recovery Program was so successful at breeding pups that by 2005 they reached 49 breeding pairs and 663 total wolves. Today those numbers stand at over 71 breeding pairs and about 1,700 total wolves, far surpassing the stated goals of the Federal Government's wolf recovery plan. Despite this remarkable comeback, several environmentalist groups have used the judicial process to keep gray wolf populations under various forms of Federal protection, even to the detriment of native deer and elk populations which are dropping dramatically because of so many predator wolves. By keeping wolves locked into federally protected status, State wildlife authorities are legally prevented from rightfully controlling their exploding wolf population. At the same time the U.S. Fish and Wildlife Service is forced to overextend its resources, reach and welcome on a program that achieved its goals almost a decade ago. This simply cannot continue.

With respect to Arizona, my support for delisting the gray wolf is not a mandate for wolf hunts but rather to establish a path forward for saving the Mexican gray wolf from a failed Federal recovery program and to provide essential protections for livestock growers. If you compare the success of the northern Rockies against the dismal returns of the Mexican Wolf Recovery Program in Arizona and New Mexico, you see how Federal mismanagement and judicial activism have combined to hurt both ranchers and wolves. The U.S. Fish and Wildlife Service introduced 13 wolves in 1998 and estimated that the Southwest should have 100 wolves by now but in fact we have barely topped 42 wolves over the past 12 years. Pup survival in Arizona and New Mexico remains bleak with 31 observed in 2009 but only 7 surviving the winter. Livestock depredations remain a constant concern even though the U.S. Fish and Wildlife Service recently rescinded rules that allow ranchers to protect their cattle for depredation. To date, the Mexican Wolf Recovery Program has cost taxpayers roughly \$20 million or roughly \$500,000 per wolf with no end in sight. By removing Federal protections for the Mexican gray wolf, management and recovery responsibilities would be transferred from the U.S. Fish and Wildlife Service to the State's wildlife authority, the Arizona Game and Fish Commission, which recently voted to support this proposal.

The facts on the ground paint a clear picture that it is time to return management and recovery of these wolf populations to the States. I urge my colleagues to support this legislation.

#### UNI-CAPITOL WASHINGTON INTERNSHIP PROGRAMME

Mr. CRAPO. Mr. President, today I wish to pay tribute to the Uni-Capitol Washington Internship Programme, UCWIP. For more than a decade, this international internship program has been enabling outstanding Australian college students to participate in internships throughout the U.S. Congress.

Students participating in the program obtain immeasurable experience through their congressional internships, and participants also have the opportunity to participate in other educational experiences, including U.S. historic site and government agency visits and other learning events. I am proud to be involved in this rewarding and well-rounded exchange program, and I am grateful for the contribution Uni-Capitol Washington Programme interns continue to make in providing valuable viewpoints and helping me serve Idaho constituents.

Gemma Whiting, a UCWIP participant, has joined my staff as an intern this semester. She is studying law/arts at the University of Western Australia, where she is majoring in political science and international relations.

Gemma has spent many hours helping keep my schedule and activities running smoothly, and she has been an immense asset. Her commitment and hard work are appreciated, and we are fortunate to have Gemma as a part of the team. I asked her to share her impressions regarding the program and her internship. She said, "It was an honor to be a part of UCWIP 2011. The opportunity to work in Senator CRAPO's office has been the most remarkable experience. I could not have hoped for a more welcoming and affable office. The insight gained through this opportunity is invaluable, adding a higher level of understanding to the intricate workings of the U.S. Congress and the world's foremost democracy. This internship has been a once-in-a-lifetime opportunity, adding priceless knowledge to my studies in Law and Political Science. I could not have had a more enjoyable or memorable experience thanks to Senator CRAPO's office."

I also commend the efforts of the program's director and founder, Eric Federling, who has utilized his own Capitol Hill and Australia experiences to provide this important exchange opportunity that benefits both Australian students and congressional offices. His interest and skill have been instrumental in shaping an outstanding program.

I look forward to continuing my association with the Uni-Capitol Washington Internship Programme, which I have been honored to be involved with for 5 years. I commend Gemma Whiting, Eric Federling and the other Uni-Capitol Washington Internship Programme participants and interns for contributing to the 12 successful years of this important program that facilitates the valuable broadening of relationships and understanding between our two countries.

#### ADDITIONAL STATEMENTS

##### ABILITYONE PROGRAM AND THE ARC OF CADD-OSSIER

• Ms. LANDRIEU. Mr. President, today I recognize a program which in the last several years has helped more than 45,000 Americans who are blind or who have significant disabilities gain skills and training that ultimately led to gainful employment, the AbilityOne Program.

The AbilityOne Program is the single largest source of jobs for Americans who are blind or have significant disabilities. The program harnesses the purchasing power of the Federal Government to buy products and services from participating community-based nonprofit agencies that are dedicated to training and employing individuals with disabilities. This program affords Americans with disabilities the opportunity to acquire job skills, training, good wages, benefits, while providing greater independence and quality of life.