

Works be authorized to meet during the session of the Senate at 10 a.m. on February 2, 2011, in room SD-406 of the Dirksen Senate Office Building.

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

COMMITTEE ON THE JUDICIARY

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on February 2, 2011, at 10 a.m. in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "The Constitutionality of the Affordable Care Act."

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

COMMITTEE ON THE JUDICIARY

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on February 2, 2011, at 2 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Nominations."

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 of the Finance Committee be allowed on the Senate floor during the debate of the FAA Air Transportation Modernization and Safety Improvement Act:

Ellen Montz, Lisa Yen, Jonathan Jaffery, Kevin Ward, Shannon Olberding, Jack McGillis, Eric Roberts, Brian Allison, Michael Grant, Andrew Fishburn, Matthew McFeeley, and Jessica Kawamura.

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

Mr. HARKIN. Mr. President, I ask unanimous consent that Steven Brenner and Kirsten Abel of my staff be granted floor privileges for the duration of today's session.

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

Mr. DURBIN. Mr. President, I ask unanimous consent that Coti-Lynne Haia, a fellow on Senator INOUE's staff, be granted the privilege of the floor for the duration of the Senate's consideration S. 233, the FAA Air Transportation Modernization and Safety Improvement Act.

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

NATIONAL WOMEN AND GIRLS IN SPORTS DAY

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent the Judiciary Committee be discharged from further consideration and the Senate now proceed to consideration of S. Res. 30.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 30) celebrating February 2, 2011, as the 25th anniversary of "National Women and Girls in Sports Day."

There being no objection, the Senate proceeded to consider the resolution.

Mr. ROCKEFELLER. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid on the table.

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

The resolution (S. Res. 30) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 30

Whereas women's athletics are one of the most effective avenues available for the women of the United States to develop self-discipline, initiative, confidence, and leadership skills;

Whereas sports and fitness activities contribute to emotional and physical well-being;

Whereas women need strong bodies as well as strong minds;

Whereas the history of women in sports is rich and long, but there has been little national recognition of the significance of the athletic achievements of women;

Whereas there is a need to restore women to leadership positions in athletics to ensure a fair representation of the abilities of women and to provide role models for young female athletes;

Whereas the bonds built between women through athletics help to break down the social barriers of racism and prejudice;

Whereas the communication and cooperation skills learned through athletic experience play a key role in the contributions of an athlete to her home, workplace, and society;

Whereas women's athletics has produced such winners as Flo Hyman, whose spirit, talent, and accomplishments distinguished her above others and who exhibited the true meaning of fairness, determination, and team play;

Whereas parents feel that sports are equally important for boys and girls and that sports and fitness activities provide important benefits to girls who participate;

Whereas early motor-skill training and enjoyable experiences of physical activity strongly influence life-long habits of physical fitness;

Whereas the performances of female athletes in the Olympic Games are a source of inspiration and pride to the people of the United States;

Whereas the athletic opportunities for male students at the collegiate and high school levels remain significantly greater than those for female students; and

Whereas the number of funded research projects focusing on the specific needs of women athletes is limited and the information provided by these projects is imperative to the health and performance of future women athletes: Now, therefore, be it

Resolved, That the Senate—

(1) celebrates February 2, 2011, as the 25th anniversary of "National Women and Girls in Sports Day"; and

(2) encourages State and local jurisdictions, appropriate Federal agencies, and the people of the United States to observe "National Women and Girls in Sports Day" with appropriate ceremonies and activities.

RESOLUTIONS SUBMITTED TODAY

Mr. ROCKEFELLER. I ask unanimous consent the Senate proceed to

the immediate consideration en bloc of the following resolutions which were submitted earlier today: S. Res. 36, S. Res. 37, S. Res. 38, S. Res. 39, and S. Res. 40.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. ROCKEFELLER. I ask unanimous consent the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid on the table en bloc, with no intervening action or debate, and any statements be printed in the RECORD.

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

The resolutions were agreed to en bloc.

The preambles were agreed to en bloc.

The resolutions, with their preambles, read as follows:

S. Res. 36

Raising awareness and encouraging prevention of stalking by designating January 2011 as "National Stalking Awareness Month".

Whereas in a 1-year period, an estimated 3,400,000 people in the United States reported being stalked, and 75 percent of victims report that they were stalked by someone they know;

Whereas 81 percent of women who are stalked by an intimate partner are also physically assaulted by that partner, and 76 percent of women who are killed by an intimate partner were also stalked by that intimate partner;

Whereas 11 percent of victims reported having been stalked for more than 5 years, and 23 percent of victims reported having been stalked almost every day;

Whereas 1 in 4 victims reported that they were aware of email, instant messaging, blogs or bulletin boards, internet sites, or chat rooms being used against them by their stalkers, and 1 in 13 victims reported that stalkers had used electronic devices to monitor them;

Whereas stalking victims are forced to take drastic measures to protect themselves, including changing identity, relocating, changing jobs, and obtaining protection orders;

Whereas 1 in 7 victims has relocated in an effort to escape a stalker;

Whereas approximately 130,000 victims reported having been fired or asked to leave a job because of stalking, and about 1 in 8 employed victims missed work because they feared for their safety or were taking steps to protect themselves, such as seeking a restraining order;

Whereas less than half of victims report stalking to police, and only 7 percent of victims contacted a victim service provider, shelter, or hotline;

Whereas stalking is a crime under Federal law and under the laws of all 50 States, the District of Columbia, and the territories of the United States;

Whereas stalking affects victims of every race, age, culture, gender, sexual orientation, physical and mental ability, and economic status;

Whereas national organizations, local victim service organizations, prosecutors' offices, and police departments stand ready to assist stalking victims and are working diligently to develop effective and innovative responses to stalking;

Whereas there is a need to improve the criminal justice system's response to stalking through more aggressive investigation and prosecution;

Whereas there is a need for increased availability of victim services across the country, and such services must include programs tailored to meet the needs of stalking victims; and

Whereas the Senate finds that "National Stalking Awareness Month" provides an opportunity to educate the people of the United States about stalking: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates January 2011 as "National Stalking Awareness Month";

(2) applauds the efforts of the many stalking victim service providers, police, prosecutors, national and community organizations, and private sector supporters for their efforts in promoting awareness about stalking;

(3) encourages policymakers, criminal justice officials, victim service and human service agencies, college campuses and universities, nonprofit organizations, and others to increase awareness of stalking and the availability of services for stalking victims; and

(4) urges national and community organizations, businesses in the private sector, and the media to promote awareness of the crime of stalking through "National Stalking Awareness Month".

#### S. RES. 37

Recognizing the goals of Catholic Schools Week and honoring the valuable contributions of Catholic schools in the United States.

Whereas Catholic schools in the United States have received international acclaim for academic excellence while providing students with lessons that extend far beyond the classroom;

Whereas Catholic schools present a broad curriculum that emphasizes the lifelong development of moral, intellectual, physical, and social values in the young people of the United States;

Whereas Catholic schools in the United States today educate 2,119,341 students and maintain a student-to-teacher ratio of 14 to 1;

Whereas the faculty members of Catholic schools teach a highly diverse body of students;

Whereas the graduation rate for all Catholic school students is 99 percent;

Whereas 97 percent of Catholic high school graduates go on to college;

Whereas Catholic schools produce students strongly dedicated to their faith, values, families, and communities by providing an intellectually stimulating environment rich in spiritual character and moral development; and

Whereas in the 1972 pastoral message concerning Catholic education, the National Conference of Catholic Bishops stated, "Education is one of the most important ways by which the Church fulfills its commitment to the dignity of the person and building of community. Community is central to education ministry, both as a necessary condition and an ardently desired goal. The educational efforts of the Church, therefore, must be directed to forming persons-in-community; for the education of the individual Christian is important not only to his solitary destiny, but also the destinies of the many communities in which he lives.": Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the goals of Catholic Schools Week, an event cosponsored by the National Catholic Educational Association and the United States Conference of Catholic Bishops that recognizes the vital contribu-

tions of thousands of Catholic elementary and secondary schools in the United States; and

(2) commends Catholic schools, students, parents, and teachers across the United States for their ongoing contributions to education, and for the vital role they play in promoting and ensuring a brighter, stronger future for the United States.

#### S. RES. 38

Congratulating Brooklyn Center, Minnesota on its 100th anniversary.

Whereas February 5, 2011, marks the 100th anniversary of the establishment of Brooklyn Center, Minnesota;

Whereas in the summer of 1852, individuals came to Brooklyn Center and cleared rich, tillable land to farm and build homes;

Whereas those industrious individuals quickly transformed Brooklyn Center into a prosperous farming community, where Minnesotans grew and gathered harvests that fed countless families throughout the region;

Whereas Brooklyn Center was incorporated as a village in 1911, became a city in 1967, and continues to be a community where all residents can feel proud to live, work, and raise their families;

Whereas Brooklyn Center has successfully balanced economic growth and business development with an enduring focus on family values and small town charm;

Whereas, as of the date of agreement to this resolution, Brooklyn Center boasts 522 acres of parks and nature centers, a first-rate education system, quality health care options, accessible transportation, and the historic Earle Brown Heritage Center; and

Whereas Brooklyn Center is a city with a proud history and a strong place in the heritage of the State of Minnesota and the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates Brooklyn Center, Minnesota on its 100th anniversary; and

(2) commends the Minnesotans who have made Brooklyn Center, Minnesota "A Great Place to Start and a Great Place to Stay".

#### S. RES. 39

Congratulating the Auburn University football team for winning the 2010 Bowl Championship Series National Championship.

Whereas the Auburn University Tigers won the Tostitos Bowl Championship Series National Championship Game (referred to in this preamble as the "BCS National Championship Game") in Glendale, Arizona, on January 10, 2011, in a thrilling victory over the University of Oregon Ducks with a score of 22 to 19;

Whereas the Auburn University Tigers earned their seventh Southeastern Conference title by defeating the University of South Carolina Gamecocks on December 5, 2010, with a score of 56 to 17;

Whereas the Auburn University Tigers finished the 2010 season with a perfect record of 14 wins and 0 losses;

Whereas the Auburn University Tigers won 6 games against nationally ranked opponents during the 2010 season;

Whereas the 2010 BCS National Championship Game marks the second national college football championship in the storied history of Auburn University;

Whereas the Auburn University football team earned its first national college football championship in the 1957 season, when the team was led by Coach Ralph "Shug" Jordan and quarterback Lloyd Nix;

Whereas the victory of the Auburn University Tigers in the 2010 BCS National Championship Game was the fifth consecutive BCS national championship won by a school in the Southeastern Conference;

Whereas in 2010, the Auburn University Tigers were led by quarterback Cam Newton,

winner of the Heisman Trophy, the Maxwell Award, the Davey O'Brien Award, the Walter Camp Award, the Associated Press Player of the Year Award, and the Manning Award;

Whereas during the BCS National Championship Game, Lombardi Award winner Nick Fairley recorded 5 tackles, including 3 tackles for losses, 1 sack, and 1 forced fumble, and was named the Bowl Championship Series Defensive Player of the Game;

Whereas running back Michael Dyer rushed for 143 yards on 22 carries, including 57 yards on the game-winning drive, and was named the Bowl Championship Series Offensive Player of the Game;

Whereas Wes Byrum kicked a 19-yard field goal in front of 78,600 fans as time expired to break the 19 to 19 tie and win the game;

Whereas Gene Chizik, in his second season as head coach of the Auburn University football team, won the Associated Press Southeastern Conference Coach of the Year Award, the Home Depot Coach of the Year Award, the Liberty Mutual Coach of the Year Award, the Bobby Bowden National Collegiate Coach of the Year Award, and the Paul "Bear" Bryant Award;

Whereas Gene Chizik instilled character, integrity, and the values espoused in the Auburn Creed in his players and inspired the Auburn players, students, and fans throughout the season with the theme of "All In";

Whereas offensive coordinator and quarterbacks coach Gus Malzahn was recognized as the top assistant coach in the country, receiving the 2010 Broyles Award for leading the offense of the 2010 Auburn University football team to single-season school records for total offensive yards, total rushing yards, and points scored;

Whereas the vision and leadership of President Jay Gogue and Athletic Director Jay Jacobs was instrumental in bringing academic and athletic success and national recognition to Auburn University;

Whereas the winning season of the 2010 Auburn University football team was also made possible by the leadership and service of past Auburn men such as George Petrie, John Heisman, Ralph "Shug" Jordan, Jim Fyffe, and James E. Foy;

Whereas the 2010 BCS National Championship Game was a victory not only for the 2010 Auburn University football team, but also for the great Auburn University football teams and players throughout the history of the program, including the undefeated teams of 1958, 1993, and 2004 and players Bo Jackson, Pat Sullivan, Tracy Rucker, Terry Beasley, Jason Campbell, Carnell Williams, Ronnie Brown, Ed Dyas, and Quentin Riggins; and

Whereas the 2010 Auburn University football team has brought great honor to Auburn University, the Auburn University family, and the entire State of Alabama: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the Auburn University football team for winning the 2010 Bowl Championship Series National Championship;

(2) recognizes the achievements of the players, coaches, students, and staff whose hard work and dedication were instrumental in helping the Auburn University Tigers win the national championship; and

(3) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) the President of Auburn University, Dr. Jay Gogue;

(B) the Athletic Director of Auburn University, Jay Jacobs; and

(C) the Head Coach of the Auburn University football team, Gene Chizik.

S. RES. 40

Congratulating the University of Akron men's soccer team on winning the National Collegiate Athletic Association Division I Men's Soccer Championship.

Whereas on December 12, 2010, the University of Akron men's soccer team, known as the Zips, won the National Collegiate Athletic Association College Cup in Santa Barbara, California and became the first team to win a national title in the history of the University of Akron;

Whereas with the victory over the previously undefeated and top-ranked University of Louisville Cardinals, the 2010 University of Akron men's soccer team finished its historic championship season with a record of 22 wins, 1 loss, and 2 draws;

Whereas the 2010 University of Akron men's soccer team has become a symbol of pride and success to the University of Akron and the communities in Northeast Ohio surrounding the University of Akron;

Whereas the athletic program of the University of Akron encourages student-athletes to compete on the field, complete degrees in the classroom, and become contributing members of society;

Whereas each year, University of Akron student-athletes and coaches participate in community service activities;

Whereas the head coach of the University of Akron men's soccer team, Caleb Porter, has won 1 national title and taken the men's soccer team to 2 national championship games in the 2 years prior to date of the approval of this resolution;

Whereas associate head coach Jared Embick, assistant coach Oliver Slawson, and volunteer assistant coach Liam Curran played an important role in coaching the University of Akron men's soccer team;

Whereas midfielder Scott Caldwell was named the most outstanding offensive player of the College Cup;

Whereas defender Kofi Sarkodie was named the most outstanding defensive player of the College Cup;

Whereas forward and midfielder Darlington Nagbe is a finalist for the Hermann Trophy, which is awarded to the best men's collegiate soccer player in the United States;

Whereas 44 members of the University of Akron men's soccer team have been named All-Americans, including 2 members from the 2010 season, defender Kofi Sarkodie and forward and midfielder Darlington Nagbe;

Whereas 12 members of the University of Akron men's soccer team have been named Academic All-Americans, including 4 members from the 2010 season—defender Kofi Sarkodie, defender Chad Barson, goalkeeper David Meves, and midfielder Anthony Ampaipitakwong;

Whereas the 2010 University of Akron men's soccer team was comprised of—

(1) 3 seniors—midfielder Anthony Ampaipitakwong, defender Chris Korb, and defender Enrique Paez;

(2) 5 juniors—midfielder Michael Balogun, midfielder and defender Matt Dagilis, forward and midfielder Darlington Nagbe, midfielder Michael Nanchoff, and defender Kofi Sarkodie;

(3) 7 sophomores—defender Chad Barson, midfielder Scott Caldwell, goalkeeper David Meves, goalkeeper Anthony Ponikvar, forward Thomas Schmitt, midfielder Ben Speas, and defender Zarek Valentin; and

(4) 9 freshmen—midfielder Reinaldo Brenes, forward Richard Diaz, Jr., forward Gabriel Genovesi, midfielder Perry Kitchen, forward Darren Mattocks, goalkeeper Andrian McAdams, midfielder Martin Ontiveros, midfielder Eric Stevenson, and forward McKauly Tulloch;

Whereas 11 members of the 2010 University of Akron men's soccer team hail from the State of Ohio; and

Whereas the University of Akron men's soccer team should be praised for its historic season of both athletic and academic accomplishments: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the University of Akron men's soccer team on winning the National Collegiate Athletic Association Division I Men's Soccer Championship;

(2) recognizes the athletic program of the University of Akron for encouraging student-athletes to achieve in both sports and academics; and

(3) requests the Secretary of the Senate to transmit an enrolled copy of this resolution for appropriate display to—

(A) the University of Akron;

(B) Dr. Luis M. Proenza, the President of the University of Akron; and

(C) Caleb Porter, the head coach of the University of Akron men's soccer team.

#### APPOINTMENTS

The PRESIDING OFFICER. The Chair announces, on behalf of the majority leader, pursuant to the provisions of S. Res. 105, adopted April 13, 1989, as amended by S. Res. 149 adopted, October 5, 1993, as amended by Public Law 105-275, adopted October 21, 1998, further amended by S. Res. 75, adopted March 25 1999, amended by S. Res. 383, adopted October 27, 2000, and amended by S. Res. 355, adopted November 13, 2002, and further amended by S. Res. 480, adopted November 21, 2004, further amended by S. Res. 625, adopted December 6, 2006, and further amended by S. Res. 715, adopted November 28, 2008, and amended by S. Res. 706, adopted December 22, 2010, the appointment of the following Senators as members of the Senate National Security Working Group for the 112th Congress: the Senator from Hawaii (Mr. INOUE), who will serve in his capacity as President pro tempore of the Senate; the Senator from Michigan (Mr. LEVIN) as Democratic Co-Chairman; the Senator from Massachusetts (Mr. KERRY) as Democratic Co-Chairman; the Senator from New Jersey (Mr. LAUTENBERG) as Democratic Co-Chairman; the Senator from Illinois (Mr. DURBIN); the Senator from Florida (Mr. NELSON); the Senator from Maryland (Mr. CARDIN); the Senator from Pennsylvania (Mr. CASEY), and the Senator from Massachusetts (Mr. KERRY) as Majority Administrative Co-Chairman.

The Chair, on behalf of the Vice President, pursuant to Public Law 83-420, as amended by Public Law 99-371, appoints the Senator from Ohio (Mr. BROWN) to the Board of Trustees of Gallaudet University.

The Chair, on behalf of the President pro tempore, pursuant to Public Law 96-388, as amended by Public Law 97-84 and Public Law 106-292, appoints and reappoints the following Senators to the United States Holocaust Memorial Council for the 112th Congress: the Honorable FRANK R. LAUTENBERG of New Jersey (reappointment); the Honorable BERNARD SANDERS of Vermont

(reappointment); and the Honorable RICHARD J. DURBIN of Illinois (appointment).

The Chair, on behalf of the Vice President, pursuant to Public Law 94-304, as amended by Public Law 99-7, appoints the following Senators as members of the Commission on Security and Cooperation in Europe during the 112th Congress: the Honorable BENJAMIN L. CARDIN of Maryland (Co-Chairman); the Honorable SHELDON WHITEHOUSE of Rhode Island; the Honorable TOM UDALL of New Mexico; the Honorable JEANNE SHAHEEN of New Hampshire, and the Honorable RICHARD BLUMENTHAL of Connecticut.

The Chair, on behalf of the President pro tempore, pursuant to 22 U.S.C. 276n, appoints the following Senator as Chairman of the U.S.-China Interparliamentary Group conference during the 112th Congress: the Honorable PATTY MURRAY of Washington.

The Chair, on behalf of the Vice President, pursuant to Section 5 of Title I of Division H of Public Law 110-161, appoints the following Senator as Chairman of the U.S.-Japan Interparliamentary Group conference for the 112th Congress: the Honorable DANIEL K. INOUE of Hawaii.

The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276h-276k, as amended, appoints the following Senator as Chairman of the Mexico-U.S. Interparliamentary Group conference for the 112th Congress: the Honorable TOM UDALL of New Mexico.

The Chair, on behalf of the majority leader, pursuant to section 154 of Public Law 108-199, appoints the following Senator as Chairman of the Senate Delegation to the U.S.-Russia Interparliamentary Group conference during the 112th Congress: the Honorable E. BENJAMIN NELSON of Nebraska.

The Chair, on behalf of the President pro tempore, and upon the recommendation of the majority leader, pursuant to 22 U.S.C. 2761, as amended, appoints the Senator from Vermont (Mr. LEAHY) as Chairman of the Senate Delegation to the British-American Interparliamentary Group conference during the 112th Congress.

#### ORDERS FOR THURSDAY, FEBRUARY 3, 2011

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, February 3; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and following any leader remarks, the Senate resume consideration of Calendar No. 5, S. 223, the Federal Aviation Administration authorization bill.

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