

comply with the injunction or order shall be deemed a separate offense.

“(B) INJUNCTIONS AND ORDERS.—Subparagraph (A) shall apply with respect to any action to enforce—

“(i) a Federal court injunction obtained pursuant to this title;

“(ii) an order entered or obtained by the Commission pursuant to this title that bars, suspends, places limitations on the activities or functions of, or prohibits the activities of, a person; or

“(iii) a cease-and-desist order entered by the Commission pursuant to section 203(k).”.

**SA 1509.** Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . BILL MAY NOT TAKE EFFECT BEFORE A BUDGET RESOLUTION IS IN EFFECT.**

Notwithstanding any other provision of this Act, this Act shall not take effect before the date a concurrent resolution on the budget has been agreed to and is in effect for the fiscal year during which this Act was enacted.

**SA 1510.** Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, insert the following:

**SEC. \_\_\_\_ . TRANSACTION REPORTING REQUIREMENTS.**

The transaction reporting requirements established by section 101(j) of the Ethics in Government Act of 1978, as added by section 6 of this Act, shall not be construed to apply to a widely held investment fund (whether such fund is a mutual fund, regulated investment company, pension or deferred compensation plan, or other investment fund), if—

- (1)(A) the fund is publicly traded; or
- (B) the assets of the fund are widely diversified; and
- (2) the reporting individual neither exercises control over nor has the ability to exercise control over the financial interests held by the fund.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON FOREIGN RELATIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on February 1, 2012, at 2:30 p.m., to hold a European Affairs subcommittee hearing entitled, “Ukraine at a Crossroads: What’s at Stake for the U.S. and Europe?”

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

### COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on February 1, 2012, at 10 a.m. in room 432 Russell Senate Office building, to conduct a roundtable entitled “Developing and Strengthening High-Growth Entrepreneurship.”

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

### SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs’ Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on February 1, 2012, at 2:30 p.m., to conduct a hearing entitled, “Federal Retirement Processing: Ensuring Proper and Timely Payments.”

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

### SAM D. HAMILTON NOX UBEE NATIONAL WILDLIFE REFUGE

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of H.R. 588, and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title. The assistant legislative clerk read as follows:

A bill (H.R. 588) to redesignate the Noxubee National Wildlife Refuge as the Sam D. Hamilton Noxubee National Wildlife Refuge.

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

Mrs. GILLIBRAND. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the measure be printed in the RECORD.

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

The bill (H.R. 588) was ordered to a third reading, was read the third time, and passed.

### TO REVISE THE BOUNDARIES OF JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 304, S. 1296.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1296) to revise the boundaries of John H. Chafee Coastal Barrier Resources

System Sachuest Point Unit RI-04P, Easton Beach Unit RI-05P, Almy Pond Unit RI-06, and Hazards Beach Unit RI-07 in the State of Rhode Island.

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

Mrs. GILLIBRAND. I further ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the measure be printed in the RECORD.

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

The bill (S. 1296) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1296

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. REPLACEMENT OF JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM MAP.

(a) DEFINITION OF MAP.—In this section, the term “Map” means the map that—

(1) is subtitled “Sachuest Point Unit RI-04P, Easton Beach Unit RI-05P, Almy Pond Unit RI-06, Hazards Beach Unit RI-07”;

(2) is included in the set of maps entitled “John H. Chafee Coastal Barrier Resources System” (referred to in section 4(a) of the Coastal Barrier Resources Act (16 U.S.C. 3503(a)) as the set of maps entitled “Coastal Barrier Resources System”); and

(3) relates to certain John H. Chafee Coastal Barrier Resources System units in the State of Rhode Island.

(b) REPLACEMENT.—The Map is replaced by the map entitled “John H. Chafee Coastal Barrier Resources System Sachuest Point Unit RI-04P, Easton Beach Unit RI-05P, Almy Pond Unit RI-06, and Hazards Beach Unit RI-07” and dated September 30, 2009.

(c) AVAILABILITY.—The Secretary of the Interior shall keep the replacement map referred to in subsection (b) on file and available for inspection in accordance with section 4(b) of the Coastal Barrier Resources Act (16 U.S.C. 3503(b)).

### HONORING THE LIFE OF KEVIN HAGAN WHITE

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 365, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 365) honoring the life of Kevin Hagan White, the Mayor of Boston, Massachusetts from 1968 to 1984.

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

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to the matter be printed in the RECORD.

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

The resolution (S. Res. 365) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 365

Whereas Kevin White was born in Boston on September 25, 1929;

Whereas his father, Joseph C. White, a legislator of the Commonwealth of Massachusetts; his maternal grandfather, Henry E. Hagan; and his father-in-law, William Galvin; each served as presidents of the Boston City Council;

Whereas Kevin White earned a bachelor's degree from Williams College in 1952, a law degree from Boston College in 1955, and also studied at the Harvard Graduate School of Public Administration, now the John F. Kennedy School of Government;

Whereas in 1956, Kevin White married Kathryn Galvin;

Whereas in 1960, at the age of 31, Kevin White was elected Secretary of the Commonwealth of Massachusetts and was reelected 3 times, serving until 1967;

Whereas in January 1968, Kevin White became the 51st Mayor of the City of Boston, Massachusetts;

Whereas within months after taking office as Mayor of Boston, Kevin White was instrumental in helping guide the City of Boston after the assassination of Dr. Martin Luther King, Jr.;

Whereas on April 5, 1968, Mayor White asked that the James Brown concert at the Boston Garden be televised rather than be cancelled, as many suggested;

Whereas during the concert, Mayor White addressed the citizens to plead for calm and said, "Twenty four hours ago Dr. King died for all of us, black and white, that we may live together in harmony without violence, and in peace. I'm here to ask for your help and to ask you to stay with me as your mayor, and to make Dr. King's dream a reality in Boston. No matter what any other community might do, we in Boston will honor Dr. King in peace.";

Whereas during his time as Mayor of Boston, Kevin White undertook a program of urban revitalization of the downtown areas of Boston that forever transformed Faneuil Hall and Quincy Market;

Whereas during his time as Mayor, Kevin White brought the residents of each neighborhood of Boston, from Mattapan to Charlestown, from South Boston to Brighton, from East Boston to West Roxbury, together through programs like Summerthing, Little City Halls, and jobs for at-risk youth;

Whereas in 1974, Judge W. Arthur Garrity Jr. of the United States District Court for the District of Massachusetts ordered Boston to begin busing children to integrate its schools;

Whereas during a difficult period of racial tension for the City of Boston, Mayor White urged the people of Boston to remember their common identity;

Whereas from 1984 to 2002, Kevin White was the director of the Institute for Political Communication at Boston University;

Whereas Mayor White valiantly fought against Alzheimer's disease after his diagnosis in 2003 and despite this debilitating challenge, he never stopped being an example of strength for the City of Boston and his family;

Whereas Kevin White is survived by his wife, Kathryn; a brother, Terrence, who managed his early campaigns; his sons, Mark and Chris; his daughters, Caitlin, Beth, and Patricia; his 7 grandchildren; and his sister, Maureen Mercier;

Whereas the most famous campaign slogan coined Kevin White, "A loner in love with the city"; and

Whereas the irony of the slogan is that Kevin White was never lonely and that the people of Boston who he loved so much, loved him back: Now, therefore, be it

*Resolved*, That—

(1) the Senate—

(A) recognizes that Kevin White forever enriched the Boston political landscape and forged a new path for the City of Boston;

(B) pays tribute to the work by Kevin White to improve the lives of the residents of the City of Boston; and

(C) requests the Secretary of the Senate to prepare an official copy of this resolution for presentation to the family of Kevin White; and

(2) when the Senate adjourns today, it stand adjourned as a mark of respect to the memory of former Boston Mayor Kevin Hagan White.

# HONORING THE LIFE OF WILMAN VILLAR MENDOZA AND CONDEMNING THE CASTRO REGIME

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 366, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 366) honoring the life of dissident and democracy activist Wilman Villar Mendoza and condemning the Castro regime for the death of Wilman Villar Mendoza.

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

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to the measure be printed in the RECORD.

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

The resolution (S. Res. 366) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 366

Whereas, on Thursday, January 19, 2012, 31-year-old Cuban dissident Wilman Villar Mendoza died, following a 56-day hunger strike to highlight his arbitrary arrest and the repression of basic human and civil rights in Cuba by the Castro regime;

Whereas, on November 2, 2011, Wilman Villar Mendoza was detained by security forces of the Government of Cuba for participating in a peaceful demonstration in Cuba calling for greater political freedom and respect for human rights;

Whereas Wilman Villar Mendoza was sentenced to 4 years in prison after a hearing that lasted less than 1 hour and during which Wilman Villar Mendoza was neither represented by counsel nor given the opportunity to speak in his defense;

Whereas, on November 25, 2011, Wilman Villar Mendoza was placed in solitary confinement after initiating a hunger strike to protest his unjust trial and imprisonment;

Whereas Wilman Villar Mendoza was a member of the Unión Patriótica de Cuba, a

dissident group the Cuban regime considers illegitimate because members express views critical of the regime;

Whereas security forces of the Government of Cuba have harassed Maritza Pelegrino Cabrales, the wife of Villar Mendoza and a member of the Ladies in White (Damas de Blanco), and have threatened to take away her children if she continues to work with the Ladies in White;

Whereas Human Rights Watch, which documented the case of Wilman Villar Mendoza, stated, "Arbitrary arrests, sham trials, inhumane imprisonment, and harassment of dissidents' families—these are the tactics used to silence critics.";

Whereas Amnesty International stated, "The responsibility for Wilman Villar Mendoza's death in custody lies squarely with the Cuban authorities, who summarily judged and jailed him for exercising his right to freedom of expression.";

Whereas Orlando Zapata Tamayo, another prisoner of conscience jailed after the "Black Spring" crackdown on opposition groups in March 2003, died in prison on February 23, 2010, after a 90-day hunger strike;

Whereas, according to the Cuban Commission on Human Rights, the unrelenting tyranny of the Castro regime has led to more than 4,000 political detentions and arrests in 2011; and

Whereas Cuba is a member of the United Nations Human Rights Council despite numerous documented violations of human rights every year in Cuba: Now, therefore, be it

*Resolved*, That the Senate—

(1) condemns the Cuban regime for the death of Wilman Villar Mendoza on January 19, 2011, following a hunger strike to protest his incarceration for participating in a peaceful protest and to highlight the plight of the Cuban people;

(2) condemns the repression of basic human and civil rights by the Castro regime in Cuba that resulted in more than 4,000 detentions and arrests of activists in 2011;

(3) honors the life of Wilman Villar Mendoza and his sacrifice on behalf of the cause of freedom in Cuba;

(4) extends condolences to Maritza Pelegrino Cabrales, the wife of Wilman Villar Mendoza, and their children;

(5) urges the United Nations Human Rights Council to suspend Cuba from its position on the Council;

(6) urges the General Assembly of the United Nations to vote to suspend the rights of membership of Cuba to the Human Rights Council;

(7) urges the international community to condemn the harassment and repression of peaceful activists by the Cuban regime; and

(8) calls on the governments of all democratic countries to insist on the release of all political prisoners and the cessation of violence, arbitrary arrests, and threats against peaceful demonstrators in Cuba, including threats against Maritza Pelegrino Cabrales and members of the Ladies in White (Damas de Blanco).

## ORDERS FOR THURSDAY, FEBRUARY 2, 2012

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent that the Senate adjourn until 9:30 a.m. on Thursday, February 2, 2012; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the