

S. RES. 476

Whereas the Chinese scientist and democracy advocate, Fang Lizhi, passed away at his home in Tucson, Arizona, on April 6, 2012;

Whereas Fang Lizhi was born in February 1936 in Beijing, China;

Whereas, in 1952, Fang Lizhi enrolled in the Physics Department of Peking University, where he met his future wife, Li Shuxian, and joined the Chinese Communist Party in 1955;

Whereas, in 1955, Fang Lizhi openly questioned the lack of independent thinking in China's education system and, in 1957, drafted a letter with Li Shuxian and other associates proposing political reform;

Whereas Fang Lizhi and Li Shuxian were sentenced to hard labor in 1957 and 1958, respectively, as victims of China's Anti-Rightist Campaign;

Whereas, during China's Cultural Revolution, Fang Lizhi and other faculty members and students of the University of Science and Technology of China were sentenced to "reeducation through labor" in a coal mine and a brick factory;

Whereas, after he was again freed from confinement, Fang Lizhi emerged as China's leading astrophysicist and wrote the first modern Chinese-language cosmological studies, although the theory of general relativity contradicted Communist dogma;

Whereas, when he was appointed as vice president of the University of Science and Technology of China in 1984, Fang Lizhi initiated a series of reforms intended to democratize the management of the university and enhance academic freedom;

Whereas, in the winter of 1986–1987, when Chinese students across China protested on behalf of democracy and human rights, the Government of China fired Fang Lizhi from his post at the University of Science and Technology of China and subsequently purged him from the Communist party;

Whereas when, in the wake of his purge, excerpts from Fang Lizhi's speeches were distributed by authorities in China as examples of "bourgeois liberalism," his writings became tremendously popular among Chinese students;

Whereas, in February 1989, Fang Lizhi published an essay entitled "China's Despair and China's Hope," in which he wrote, "The road to democracy has already been long and difficult, and is likely to remain difficult for many years to come.";

Whereas, in this essay, Fang Lizhi also wrote that "it is precisely because democracy is generated from below—despite the many frustrations and disappointments in our present situation—I still view our future with hope";

Whereas, in the spring and early summer of 1989, Chinese students gathered in Tiananmen Square to voice their support for democracy, as well as to protest corruption in the Chinese Communist Party;

Whereas Fang Lizhi chose not to join the protests at Tiananmen Square in order to demonstrate that the students were acting autonomously;

Whereas, from June 3 through 4, 1989, the Government of China directed the People's Liberation Army to clear Tiananmen Square of protestors, killing hundreds of students and other civilians in the process;

Whereas, the Government of China issued arrest warrants for Fang Lizhi and Li Shuxian after the Tiananmen Massacre, accusing the pair of engaging in "counter-revolutionary propaganda" and denouncing Fang as the "instigator of chaos which resulted in the deaths of many people";

Whereas, on June 5, 1989, Fang Lizhi and Li Shuxian were escorted by United States diplomats to the United States Embassy in Beijing;

Whereas, between June 1989 and June 1990, United States diplomatic personnel under the leadership of Ambassador James R. Lilley sheltered Fang Lizhi and Li Shuxian at the United States Embassy in Beijing, despite the many hardships it imposed on the mission;

Whereas, at a November 15, 1989, ceremony awarding Fang Lizhi the Robert F. Kennedy Human Rights Award, Senator Edward M. Kennedy said of Fang "What Andrei Sakharov was in Moscow, Fang Lizhi became in Beijing.";

Whereas, on June 25, 1990, Fang Lizhi and Li Shuxian were allowed to leave China for the United Kingdom and then the United States;

Whereas, in 1992, Fang Lizhi received an appointment as a professor of physics at the University of Arizona in Tucson, where he continued his research in astrophysics and advocating for human rights in China;

Whereas, in the years since June 4, 1989, a new generation of Chinese activists has continued the struggle for democracy in their homeland, working "from below" to protect the rights of Chinese citizens, to increase the openness of the Chinese political system, and to reduce corruption among public officials; and

Whereas, with the passing of Fang Lizhi, China and the United States have lost a great scientist and one of the most eloquent human rights advocates of the modern era. Now, therefore, be it

*Resolved*, That the Senate—

(1) mourns the loss of Fang Lizhi;

(2) honors the life, scientific contributions, and service of Fang Lizhi to advance the cause of human freedom;

(3) offers the deepest condolences of the Senate to the family and friends of Fang Lizhi; and

(4) stands with the people of China as they strive to improve their way of life and create a government that is truly democratic and respectful of international norms in the area of human rights.

#### NOTICES OF HEARINGS

##### COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on June 7, 2012, in room SD-628 of the Dirksen Senate Office Building, at 2:15 p.m., to conduct a hearing entitled "Universal Service Fund Reform: Ensuring a Sustainable and Connected Future for Native Communities."

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources. The hearing will be held on Thursday, June 14, 2012, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of this hearing is to receive testimony on competitiveness and collaboration between the U.S. and China on clean energy.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those

wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, 304 Dirksen Senate Office Building, Washington, DC 20510-6150, or by email to Meagan\_Gins@energy.senate.gov.

For further information, please contact Jonathan Black at (202) 224-6722 or Meagan Gins at (202) 224-0883.

#### NATIONAL FOSTER CARE MONTH

Mr. BROWN of Ohio. Madam President, I ask unanimous consent the HELP Committee be discharged from further consideration of S. Res. 462 and the Senate proceed to its immediate consideration.

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

The clerk will report.

The bill clerk read as follows:

A resolution (S. Res. 462) recognizing National Foster Care Month as an opportunity to raise awareness about the challenges faced by children in the foster care system, acknowledging the dedication of foster care parents, advocates, and workers, and encouraging Congress to implement policy to improve the lives of children in the foster care system.

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

Mr. BROWN of Ohio. Madam President, I further ask 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 measure be printed in the RECORD.

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

The resolution (S. Res. 462) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 462

Whereas National Foster Care Month was established more than 20 years ago to bring foster care issues to the forefront, highlight the importance of permanency for every child, and recognize the essential role that foster parents, social workers, and advocates have in the lives of children in foster care throughout the United States;

Whereas all children deserve a safe, loving, and permanent home;

Whereas the primary goal of the foster care system is to ensure the safety and well-being of children while working to provide a safe, loving, and permanent home for each child;

Whereas there are approximately 408,000 children living in foster care;

Whereas there were approximately 254,000 youth that entered the foster care system in 2010, while over 107,000 youth were eligible and awaiting adoption at the end of 2010;

Whereas children in foster care experience an average of 3 different placements, which often leads to disruption of routines and the need to change schools and move away from siblings, extended families, and familiar surroundings;

Whereas youth in foster care are much more likely to face educational instability with 65 percent of former foster children experiencing at least 7 school changes while in care;

Whereas children of color are more likely to stay in the foster care system for longer periods of time and are less likely to be reunited with their biological families;

Whereas foster parents are the front-line caregivers for children who cannot safely remain with their biological parents and provide physical care, emotional support, education advocacy, and are the largest single source of families providing permanent homes for children leaving foster care to adoption;

Whereas children in foster care who are placed with relatives, compared to children placed with nonrelatives, have more stability, including fewer changes in placements, have more positive perceptions of their placements, are more likely to be placed with their siblings, and demonstrate fewer behavioral problems;

Whereas an increased emphasis on prevention and reunification services is necessary to reduce the number of children that are forced to remain in the foster care system;

Whereas more than 27,900 youth “age out” of foster care without a legal permanent connection to an adult or family;

Whereas children who age out of foster care may lack the security or support of a biological or adoptive family and frequently struggle to secure affordable housing, obtain health insurance, pursue higher education, and acquire adequate employment;

Whereas foster care is intended to be a temporary placement, but children remain in the foster care system for an average of 2 years;

Whereas volunteers, guardians, mentors, and workers in the child-protective-services community play a vital role in improving the safety of the most valuable youth and work hard to increase permanency through reunification, adoption, and guardianship;

Whereas due to heavy caseloads and limited resources, the average tenure for a worker in child protection services is just 3 years;

Whereas on average, 8.5 percent of the positions in child protective services remain vacant;

Whereas States, localities, and communities should be encouraged to invest resources in preventative and reunification services and postpermanency programs to ensure that more children in foster care are provided with safe, loving, and permanent placements;

Whereas Federal legislation over the past 3 decades, including the Adoption Assistance and Child Welfare Act of 1980 (Public Law 96-272), the Adoption and Safe Families Act of 1997 (Public Law 105-89), the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Public Law 110-351), and the Child and Family Services Improvement and Innovation Act (Public Law 112-34) provided new investments and services to improve the outcomes of children in the foster care system;

Whereas May is an appropriate month to designate as National Foster Care Month to provide an opportunity to acknowledge the child-welfare workforce, foster parents, advocacy community, and mentors for their dedication, accomplishments, and positive impact they have on the lives of children; and

Whereas much remains to be done to ensure that all children have a safe, loving, nurturing, and permanent family, regardless of age or special needs: Now, therefore, be it *Resolved*, That the Senate—

(1) recognizes National Foster Care Month as an opportunity to raise awareness about the challenges faced by children in the foster care system, acknowledging the dedication of foster care parents, advocates, and workers, and encouraging Congress to implement

policy to improve the lives of children in the foster care system;

(2) encourages Congress to implement policy to improve the lives of children in the foster care system;

(3) supports the designation of May as National Foster Care Month;

(4) acknowledges the special needs of children in the foster care system;

(5) recognizes foster youth throughout the United States for their ongoing tenacity, courage, and resilience while facing life challenges;

(6) acknowledges the exceptional alumni of the foster care system who serve as advocates and role models for youth who remain in care;

(7) honors the commitment and dedication of the individuals who work tirelessly to provide assistance and services to children in the foster care system; and

(8) reaffirms the need to continue working to improve the outcomes of all children in the foster care system through parts B and E of title IV of the Social Security Act (42 U.S.C. 601 et seq.) and other programs designed to—

(A) support vulnerable families;

(B) invest in prevention and reunification services;

(C) promote adoption and guardianship in cases where reunification is not in the best interests of the child;

(D) adequately serve those children brought into the foster care system; and

(E) facilitate the successful transition into adulthood for children that “age out” of the foster care system.

#### ORDERS FOR TUESDAY, JUNE 5, 2012

Mr. BROWN of Ohio. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., on Tuesday, June 5; that following the prayer and 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 the majority leader be recognized; that following the remarks of the majority leader and those of the Republican leader, the time until 12:30 p.m. be equally divided and controlled between the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes; further, that the Senate recess from 12:30 p.m. until 2:15 to allow for the weekly caucus meetings.

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

#### PROGRAM

Mr. BROWN of Ohio. It is the majority leader's intention to resume consideration of the motion to proceed to S. 3220, the Paycheck Fairness Act, when the Senate convenes tomorrow. At 2:15 there will be a cloture vote on the motion to proceed to the paycheck fairness bill.

#### ORDER FOR ADJOURNMENT

Mr. BROWN of Ohio. Madam President, if there is no further business to

come before the Senate, I ask unanimous consent that it adjourn under the previous order following the remarks of Senator INHOFE.

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

#### UTILITY MACT

Mr. INHOFE. Madam President, first of all, let me thank the Senator from Ohio for allowing me to interrupt him for my unanimous consent request.

This month, the Senate will have the opportunity to put a stop to the second most expensive EPA regulation in history, the rule known as Utility MACT. It is kind of confusing. Let me share with everyone what it means: MACT—and we better learn it now because we are going to hear it more and more—it is M-A-C-T. That means Maximum Achievable Controlled Technology. In other words, the EPA comes along and makes a regulation where there is no technology that will accommodate the rule. So that is what it is all about. That is what the Obama EPA calls it so the people will not know what it is and how much it costs. It is the first step—we are talking about Utility MACT—it is the first step to kill coal in the United States.

Right now, we in this country depend upon coal for 50 percent of our electricity. One can just imagine what will happen to our energy costs as well as millions of lost jobs. I have introduced a joint resolution to kill it. By voting for my resolution, S.J. Res. 37, Members of the Senate can prevent the Obama EPA from causing so much economic pain for American families. It requires only a majority vote in the Senate and the House. It would have to be signed by the President.

People say: Why would the President sign a bill that would stop his EPA from overregulating? I would suggest that right before the election, he does not want to go on record as causing that many job losses and that much damage to our economy.

Utility MACT is the centerpiece of President Obama's effort to kill coal. Utility MACT is specifically designed to close down existing coal plants, while the Obama EPA's greenhouse gas regulations are specifically designed to prevent any new coal plants from being built. So we are going to shut down the coal plants that are there now and prevent new coal plants from being built.

Keep in mind, 50 percent of our energy comes from coal. The goal behind these policies is not surprising. But what is surprising is that while President Obama goes around pretending to be for an all-of-the-above approach on energy—let's make sure we understand what that is. An all-of-the-above approach was the Republicans' idea. It was: We are for all of the above. We are for nuclear energy. We are for fossil fuels, coal, gas, oil, renewables, solar, everything else.

That is what “all of the above” means. The President has been saying