



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 112<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 158

WASHINGTON, THURSDAY, FEBRUARY 9, 2012

No. 22

## Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God of sea, land and sky, we worship You. Guide our lawmakers today in Your straight path. Inspire them with insight and courage that they may walk with integrity. Search their hearts and lead them away from all in-direction, equivocation, and pretense that will keep them from arriving at Your desired destination. Open their eyes to see opportunities in adversities, as You empower them to carve tunnels of hope through mountains of despair. Fortify their desire to live with sincerity and self-effacement for the glory of Your kingdom on Earth.

We pray in Your holy Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, February 9, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator

from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUE,  
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a period of morning business until 11 a.m. The majority will control the first half of the time and the Republicans will control the final half. Following morning business, the Senate will resume consideration of S. 1813. At 2 p.m., there will be a rollcall vote on the motion to invoke cloture on the motion to proceed to S. 1813.

We have been in consultation with the Republican leader and his staff, and we may have another vote this afternoon. We are probably going to have more than one vote this afternoon.

### MEASURE PLACED ON CALENDAR—S. 2079

Mr. REID. Mr. President, I understand that S. 2079 is at the desk and due for its second reading.

The ACTING PRESIDENT pro tempore. The leader is correct. The clerk will read the title of the bill for the second time.

The assistant legislative clerk read as follows:

A bill (S. 2079) to extend the pay limitation for Members of Congress and Federal employees.

Mr. REID. Mr. President, I object to any further proceedings with respect to the bill.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

Mr. REID. Mr. President, I will have more to say about this later.

### MORTGAGE FORECLOSURE SETTLEMENT

Mr. REID. Mr. President, I received a call from Secretary Donovan, the Secretary of Housing, indicating that Nevada was part of the settlement. It is in all the newspapers today. It appears Nevada will get about \$1½ billion to work out our foreclosure problems in Nevada. We have led the Nation for years in foreclosures. We are not proud of that, but it is a fact.

For many years, we were the economic driver of the States. No State did better economically than Nevada for two decades. If you want a good job, come to Nevada. If you want to invest in real estate, come to Nevada or if you wanted to start a small business, come to Nevada. The collapse on Wall Street has hurt our housing market. We have not yet recovered. I commend the attorney general of Nevada, Catherine Masto, who was a fine lawyer before she became attorney general and has only become better with the work she has done. She negotiated this. I am very proud of her and confident the work she did will bring dividends to the beleaguered housing industry in Nevada.

### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

### HONORING OUR ARMED FORCES

FIRST LIEUTENANT ERIC YATES

Mr. McCONNELL. Mr. President, I have the sad duty today to share with my colleagues the story of one brave

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Kentuckian who sacrificed his life for his country. First Lieutenant Eric Yates, of Rineyville, KY, was killed on September 18, 2010, in Kandahar province, Afghanistan, after insurgents attacked his patrol with an improvised explosive device. He was 26 years old.

For his heroic service, Lieutenant Yates received several awards, medals, and decorations, including the Bronze Star Medal, the Purple Heart, the National Defense Service Medal, the Afghanistan Campaign Medal with Bronze Service Star, the Global War on Terrorism Service Medal, the Army Service Ribbon, the Overseas Service Ribbon, the NATO Medal, the Combat Action Badge, and the Overseas Service Bar.

On Veterans Day last year, Lieutenant Yates's alma mater, Western Kentucky University, honored him by inducting him into its ROTC Hall of Fame. A likeness of Lieutenant Yates, etched in granite, was unveiled and placed on the university's landmark Guthrie Bell Tower.

The history department at Western Kentucky University, working with the Yates family, also established the First Lieutenant Eric Yates Memorial Scholarship. "We have made it our mission to make it a scholarship that will be here forever, to keep Eric alive in our hearts," says Kathy Yates, Eric's mother. Thanks to fund raisers and generous donations, that scholarship fund now has over \$20,000 in it.

Eric was born on July 1, 1984, to Kathy and David Yates, and grew up on a farm in Rineyville. A typical little kid, he liked to play with toy tractors and watch cartoons. Batman and Power Rangers were his favorites. "He went through a phase where he wore a cape all the time so he would be ready for any impending danger," remembers Kathy. Eric attended Rineyville Elementary School, and played baseball.

On the farm, the Yates family grew hay and tobacco, and there was work to be done clearing weeds, topping plants, cutting the tobacco, and stripping it in the barn to get it ready for market. "I am so thankful for that time we spent together working and talking, as that's when you really get to know your children and the work ethic they develop," Kathy says.

One spring when Eric was about 10 and his little brother Nathan was about 6, David told his two sons they could each pick a newborn calf after their hard work stripping tobacco all winter. Nathan picked out the biggest bull he could find. He could not understand why his big brother Eric chose a little heifer calf. "I want the gift that's going to keep on giving," Eric said, and he went on to sell a calf from that cow every year for the next 13 years.

In high school Eric got his first job for Butternut Bread, filling the shelves in Wal-Mart, and was elected as treasurer of his school's chapter of Future Farmers of America.

During the summer of 2001, the Yates family took a vacation to our Nation's

capital here in Washington, D.C. Eric was thrilled to visit the White House, the Smithsonian, Arlington Cemetery, the Korean Memorial, the Vietnam Memorial, Robert E. Lee's house, and the Tomb of the Unknown Soldier.

Kathy recalls how he practically taught the family a history lesson at every stop along the way. "He was amazed by all of it," she says.

Soon after that summer trip came the events of 9/11. A junior in high school, Eric read as much about the brutal terrorist attacks on this country as he could. "I had not seen anything that grabbed his attention like that fateful day," Kathy remembers. It was then that Eric began to think about a career in the U.S. Army.

After graduating from John Hardin High School in 2003, Eric started at Elizabethtown Community College. Then he transferred to Western Kentucky University and joined their ROTC program, with an eye toward a military career. He hoped to return to Hardin County one day after retiring from the Army, to teach and share his stories of military adventure.

Eric graduated from WKU in 2008. "We were so proud of him that weekend as David and I put on his gold bars at his commissioning ceremony," Kathy says. After graduation, he joined the 101st Airborne Division and was stationed at Fort Campbell, Kentucky, a point of pride for Eric as that was the same division his grandfather, Herbert L. Crabb, had served in.

In May of 2010, Eric was deployed to Afghanistan with B Company, 1st Battalion, 502nd Infantry Regiment, 101st Airborne Division. It would be his first and only deployment.

We are thinking of First Lieutenant Yates's loved ones today, Mr. President, as I recount his story for my colleagues in the Senate, including his parents, David and Kathy Yates; his brother, Nathan Yates; his grandfather, Herbert L. Crabb; and many other beloved family members and friends.

Eric's family learned after his tragic death that he had left behind a letter he wanted read at his funeral. His parents have gracefully shared that letter with me, and I would like to read it for my colleagues now. Eric writes as follows:

Hello to everyone in attendance,  
I'm sorry that you all had to gather here today for this event—no, really I am. But since you are here I would like to take the chance to say a few things, try to impart some of my knowledge and wisdom that I have stored up over the past 26 years. I consider myself fairly cultured and worldly, so please pay attention; I have the following advice.

Number one, take a chance. Get out there and do something you wouldn't normally do. You will see and do some really cool stuff and meet some really fine and interesting people. Once an Army buddy and myself ate breakfast with a homeless man in Oklahoma City, and I must say he left an impression on me.

Number two, watch the original Star Wars trilogy. It's an amazing story.

Number three, no matter how old you are, get off the couch and exercise. You will look

and feel so much better, have more energy and be happier.

Number four, read a lot books, both fiction and non-fiction, newspapers, magazines, blogs, online stories, movie reviews—all these things will help you understand the world around you, your role in it, and why what happened to me happened where and when it did.

Number five, save your money. You don't own your things; your things own you.

Number six, liquor is better than beer.

Number seven, don't reject new ideas immediately.

That seems to be all that I wanted to say, so thank you for coming. Please have a safe trip home and have a good life. Love, Eric Yates.

It is a great loss, Mr. President, that First Lieutenant Eric Yates will not have a long and happy life himself, with the opportunities to share those lessons—and many more—with the people that fill that life. But I am honored to be able to share them now with my colleagues in the United States Senate.

And I am honored to stand here today and recognize Lieutenant Yates's heroic service, and the solemn sacrifice he has made on behalf of a loving family, a proud Commonwealth, and a grateful Nation.

Mr. President, I yield the floor.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 11 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ALEXANDER. I ask unanimous consent to speak for 15 minutes in morning business, and I ask the Chair to please notify me when I have 3 minutes remaining.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### LOWERING TUITION COSTS

Mr. ALEXANDER. Mr. President, since his State of the Union Address, President Obama and Vice President