

## SUBMITTED RESOLUTIONS

SENATE RESOLUTION 489—EX-PRESSING THE SENSE OF THE SENATE ON THE APPOINTMENT BY THE ATTORNEY GENERAL OF AN OUTSIDE SPECIAL COUNSEL TO INVESTIGATE CERTAIN RECENT LEAKS OF APPARENTLY CLASSIFIED AND HIGHLY SENSITIVE INFORMATION ON UNITED STATES MILITARY AND INTELLIGENCE PLANS, PROGRAMS, AND OPERATIONS

Mr. MCCAIN (for himself, Mr. INHOFE, Mr. WICKER, Mr. BROWN of Massachusetts, Ms. AYOTTE, Mr. PORTMAN, Ms. COLLINS, Mr. GRAHAM, Mr. CORNYN, Mr. BURR, Mr. ROBERTS, Mr. BLUNT, Mr. COBURN, Mr. PAUL, Mr. BOOZMAN, Mr. ISAKSON, Mr. GRASSLEY, Mr. KIRK, Mr. CHAMBLISS, Mr. RUBIO, and Mr. HOEVEN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 489

Whereas over the past few weeks, several publications have been released that cite several highly sensitive United States military and intelligence counterterrorism plans, programs, and operations;

Whereas these publications appear to be based in substantial part on unauthorized disclosures of classified information;

Whereas the unauthorized disclosure of classified information is a felony under Federal law;

Whereas the identity of the sources in these publications include senior administration officials, participants in these reported plans, programs, and operations, and current American officials who spoke anonymously about these reported plans, programs, and operations because they remain classified, parts of them are ongoing, or both;

Whereas such unauthorized disclosures may inhibit the ability of the United States to employ the same or similar plans, programs, or operations in the future; put at risk the national security of the United States and the safety of the men and women sworn to protect it; and dismay our allies;

Whereas under Federal law, the Attorney General may appoint an outside special counsel when an investigation or prosecution would present a conflict of interest or other extraordinary circumstances and when doing so would serve the public interest;

Whereas investigations of unauthorized disclosures of classified information are ordinarily conducted by the Federal Bureau of Investigation with assistance from prosecutors in the National Security Division of the Department of Justice;

Whereas there is precedent for officials in the National Security Division of the Department of Justice to recuse itself from such investigations to avoid even the appearance of impropriety or undue influence, and it appears that there have been such recusals with respect to the investigation of at least one of these unauthorized disclosures;

Whereas such recusals are indicative of the serious complications already facing the Department of Justice in investigating these matters;

Whereas the severity of the national security implications of these disclosures; the imperative for investigations of these disclosures to be conducted independently so as to avoid even the appearance of impropriety or undue influence; and the need to conduct these investigations expeditiously to ensure

timely mitigation constitute extraordinary circumstances; and

Whereas, for the foregoing reasons, the appointment of an outside special counsel would serve the public interest: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) the Attorney General should—

(A) delegate to an outside special counsel all of the authority of the Attorney General with respect to investigations by the Department of Justice of any and all unauthorized disclosures of classified and highly sensitive information related to various United States military and intelligence plans, programs, and operations reported in recent publications; and

(B) direct an outside special counsel to exercise that authority independently of the supervision or control of any officer of the Department of Justice;

(2) under such authority, the outside special counsel should investigate any and all unauthorized disclosures of classified and highly sensitive information on which such recent publications were based and, where appropriate, prosecute those responsible; and

(3) the President should assess—

(A) whether any such unauthorized disclosures of classified and highly sensitive information damaged the national security of the United States; and

(B) how such damage can be mitigated.

SENATE RESOLUTION 490—DESIGNATING THE WEEK OF SEPTEMBER 16, 2012, AS “MITOCHONDRIAL DISEASE AWARENESS WEEK”, REAFFIRMING THE IMPORTANCE OF AN ENHANCED AND COORDINATED RESEARCH EFFORT ON MITOCHONDRIAL DISEASES, AND COMMENDING THE NATIONAL INSTITUTES OF HEALTH FOR ITS EFFORTS TO IMPROVE THE UNDERSTANDING OF MITOCHONDRIAL DISEASES

Mr. BOXER submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 490

Whereas Brittany Wilkinson, the first Youth Ambassador of the United Mitochondrial Disease Foundation, joined other Youth Ambassadors of the United Mitochondrial Disease Foundation in working tirelessly to raise awareness about mitochondrial diseases;

Whereas mitochondrial diseases result from a defect that reduces the ability of the mitochondria in a cell to produce energy;

Whereas, as mitochondria fail to produce enough energy, cells cease to function properly and eventually die, leading to the failure of organ systems and possibly the death of the affected individuals;

Whereas mitochondrial diseases can present themselves at any age, and mortality rates vary depending upon the particular disease;

Whereas the most severe mitochondrial diseases result in the progressive loss of function in multiple organs, including the loss of neurological and muscle function, and death within several years;

Whereas mitochondrial diseases are a relatively newly identified group of diseases, first recognized in the late 1960s, and diagnosis of mitochondrial diseases is extremely difficult;

Whereas there are more than 100 identified primary mitochondrial diseases, but re-

searchers believe there are several hundred other types of unidentified mitochondrial diseases and further research is necessary to help identify those diseases;

Whereas mitochondrial dysfunction is associated with many diseases, such as Parkinson's disease, Alzheimer's disease, amyotrophic lateral sclerosis, autism, diabetes, cancer, and many other diseases associated with aging;

Whereas research into primary mitochondrial diseases can provide applications to biomedical research and a window into our understanding of many other diseases, including possible treatments and cures for diseases such as Parkinson's disease, Alzheimer's disease, amyotrophic lateral sclerosis, autism, diabetes, cancer, and many other diseases associated with aging;

Whereas researchers estimate that one in 4,000 children will develop a mitochondrial disease related to an inherited mutation by 10 years of age, and recent studies of umbilical cord blood samples show that one in 200 people could develop a mitochondrial disease in their lifetime;

Whereas researchers also believe that those numbers could be much higher, given the difficulty associated with diagnosing mitochondrial disease and the many cases that are either misdiagnosed or never diagnosed;

Whereas there are no cures for mitochondrial diseases, nor are there specific treatments for any of those diseases;

Whereas human energy production involves multiple organ systems, and therefore primary mitochondrial diseases research involves many Institutes at the National Institutes of Health;

Whereas, according to the National Institutes of Health, more than \$600,000,000 is being spent on research related to mitochondrial functions, of which \$18,000,000 is being spent on actual primary mitochondrial diseases research;

Whereas the National Institutes of Health has taken an increased interest in primary mitochondrial diseases and has sponsored a number of activities in recent years aimed at advancing mitochondrial medicine, including incorporating research into functional variations in mitochondria in the Transformative Research Awards Initiative;

Whereas, in March 2012, the National Institutes of Health convened a 2-day symposium entitled “Translational Research in Primary Mitochondrial Diseases: Obstacles and Opportunities”, which brought together leading government and private sector researchers and drug developers to share information related to primary mitochondrial diseases, develop systems to facilitate future collaboration, survey obstacles, needs, and priorities of primary mitochondrial diseases research, and develop mechanisms to enhance translation of basic science discoveries to diagnostics and therapeutics; and

Whereas, as a consequence of the symposium, a white paper has been developed that identifies current research challenges and impediments and a suggested course of action to address those challenges: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week of September 16, 2012, as “Mitochondrial Disease Awareness Week”;

(2) reaffirms the importance of an enhanced and coordinated research effort aimed at improving the understanding of primary mitochondrial diseases and the development of treatments and cures;

(3) commends the National Institutes of Health for its efforts to organize the symposium entitled “Translational Research in

Primary Mitochondrial Disease: Obstacles and Opportunities” to improve the understanding of mitochondrial diseases and to enhance collaboration and chart a course for the future with respect to research on mitochondrial diseases;

(4) encourages the National Institutes of Health to place a greater priority on research into primary mitochondrial diseases, to continue to explore the connections between mitochondrial dysfunction and other systemic diseases, and to promote collaboration and coordination among the Institutes of the National Institutes of Health and with other organizations; and

(5) encourages the National Institutes of Health to consider the recommendations and address research directions identified in the white paper developed from the symposium described in paragraph (3), including—

(A) enhanced emphasis on research regarding basic mitochondrial physiology, variations in mitochondrial function in different body tissues, and improvements in the manipulation of mitochondrial DNA;

(B) supporting research that will provide the basis for drug development, including improved mouse models, efforts to achieve breakthroughs in in vivo research capability, consensus development around assays, and next generation sequencing;

(C) expansion and support of stable, long-term patient registries and biospecimen repositories in collaboration with patient advocacy groups to promote enrollment and ultimately pave the way for natural history trials; and

(D) the establishment of a working group to develop a system for the continued interaction among the Institutes within the National Institutes of Health and with other organizations and the establishment of a website on research on primary mitochondrial diseases.

**SENATE RESOLUTION 491—COMMENDING THE PARTICIPANTS IN THE 44TH INTERNATIONAL CHEMISTRY OLYMPIAD AND RECOGNIZING THE IMPORTANCE OF EDUCATION IN THE FIELDS OF SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS TO THE FUTURE OF THE UNITED STATES**

Mr. COONS (for himself, Mr. BOOZMAN, Ms. MIKULSKI, Mr. ALEXANDER, and Ms. MURKOWSKI) submitted the following resolution; which was considered and agreed to:

S. RES. 491

Whereas the global economy of the future will require a workforce that is educated in the fields of science, technology, engineering, and mathematics (referred to in this preamble as “STEM”);

Whereas the science of chemistry is vital to the improvement of human life because chemistry has the power to transform;

Whereas chemistry improves human lives by providing critical solutions to global challenges involving safe food, water, transportation, and products, alternate sources of energy, improved health, and a healthy and sustainable environment;

Whereas the International Chemistry Olympiad is an annual competition for the most talented secondary school chemistry students in the world that seeks to stimulate interest in chemistry through creative problem solving;

Whereas the 44th International Chemistry Olympiad will be held at the University of Maryland, College Park from July 21 through 30, 2012;

Whereas more than 70 countries and nearly 300 students will compete in the 44th International Chemistry Olympiad in theoretical and practical examinations covering analytical chemistry, biochemistry, inorganic chemistry, organic chemistry, physical chemistry, and spectroscopy;

Whereas the objective of the International Chemistry Olympiad is to promote international relationships in STEM education (particularly in chemistry), cooperation among students, and the exchange of pedagogical and scientific experience in STEM education;

Whereas STEM education at the secondary school level is critically important to the future of the United States; and

Whereas the students who will compete in the International Chemistry Olympiad deserve recognition and support for their efforts: Now, therefore, be it

*Resolved*, That the Senate—

(1) welcomes the 44th International Chemistry Olympiad to the United States;

(2) recognizes the need to encourage young people to pursue careers in the fields of science (including chemistry), technology, engineering, and mathematics; and

(3) commends the University of Maryland, College Park for hosting and the American Chemical Society for organizing the 44th International Chemistry Olympiad.

**SENATE RESOLUTION 492—DESIGNATING JUNE 15, 2012, AS “WORLD ELDER ABUSE AWARENESS DAY”**

Mr. BLUMENTHAL (for himself, Mr. KIRK, Mr. DURBIN, and Mr. NELSON of Florida) submitted the following resolution; which was considered and agreed to:

S. RES. 492

Whereas at least 2,000,000 older adults are maltreated each year in the United States;

Whereas the vast majority of the abuse, neglect, and exploitation of older adults in the United States goes unidentified and unreported;

Whereas only 1 in 44 cases of financial abuse of older adults is reported;

Whereas at least \$2,900,000,000 is taken from older adults each year due to financial abuse and exploitation;

Whereas elder abuse, neglect, and exploitation have no boundaries and cross all racial, social, class, gender, and geographic lines;

Whereas older adults who are abused are 3 times more likely to die earlier than older adults of the same age who are not abused;

Whereas the percentage of individuals in the United States who are 60 years of age or older will nearly double by 2020;

Whereas, although all 50 States have laws against elder abuse, incidents of elder abuse have increased by 150 percent over the last 10 years;

Whereas public awareness has the potential to increase the identification and reporting of elder abuse by the public, professionals, and victims, and can act as a catalyst to promote issue-based education and long-term prevention; and

Whereas private individuals and public agencies must work to combat crime and violence against older adults and vulnerable adults, particularly in light of continued reductions in funding for vital services: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates June 15, 2012 as “World Elder Abuse Awareness Day”;

(2) recognizes judges, lawyers, adult protective services professionals, law enforce-

ment officers, social workers, health care providers, victims’ advocates, and other professionals and agencies for their efforts to advance awareness of elder abuse; and

(3) encourages members of the public and professionals who work with older adults to act as catalysts to promote awareness and long-term prevention of elder abuse by reaching out to local adult protective services agencies and by learning to recognize, report, and respond to elder abuse.

**SENATE CONCURRENT RESOLUTION 48—RECOGNIZING 375 YEARS OF SERVICE OF THE NATIONAL GUARD AND AFFIRMING CONGRESSIONAL SUPPORT FOR A PERMANENT OPERATIONAL RESERVE AS A COMPONENT OF THE ARMED FORCES**

Mr. LEAHY (for himself and Mr. GRAHAM) submitted the following concurrent resolution; which was referred to the Committee on Armed Services:

S. CON. RES. 48

Whereas the first volunteer militia unit in America was formed in 1636 in Massachusetts Bay, followed by other units in the colonies of Virginia and Connecticut;

Whereas from the opening salvos at Lexington and Concord, to the conclusion of the American Revolutionary War in 1783, the volunteer patriots and minutemen of the American militia helped create the United States of America;

Whereas the American founding fathers wrote Article I, Section 8, of the United States Constitution to keep the militia model, authorizing only a small standing military force that could organize, train, and equip militia volunteers when needed;

Whereas the American militia answered the call during the second war with Britain in 1812;

Whereas in the 19th Century, during the Mexican-American War, the United States Civil War, and the Spanish-American War, State militia volunteers mustered when called and more than 300,000 gave their lives in service of the United States of America;

Whereas in World War I, nearly all National Guardsmen were mobilized into Federal service, and while they represented only 15 percent of the total United States Army, they comprised 40 percent of the American divisions sent to France and sustained 43 percent of the casualties in combat;

Whereas in World War II, the National Guard comprised 19 Army divisions and 29 observation squadrons with aircraft assigned to the United States Army Air Forces;

Whereas the National Defense Act of 1947 formed the Air National Guard, created a minimum of one flying unit in each State, with the result of more than 44,000 Air Guard troops serving in Korea and 4,000 Air Guard troops in Vietnam;

Whereas the Air National Guard flew 30,000 sorties and 50,000 combat hours during Operation Desert Storm over 37 days and were some of the first units into the fight;

Whereas on September 11, 2001, the first fighter jets over New York City and Washington, DC, were Air National Guard F-15 and F-16 aircraft from Massachusetts and North Dakota, with over 400 more Air National Guard fighter aircraft on alert by that afternoon;

Whereas 456,974 Air and Army National Guard soldiers and airmen have deployed in the many campaigns since 9/11;

Whereas Air and Army National Guard soldiers and airmen have been involved in