

happiness is not an American right alone. Israelis, Palestinians, Poles, Russians, Iranians, Americans, all human beings deserve to enjoy the blessings of a culture of freedom and opportunity.

### AUTOPILOT

Mr. LEAHY. Mr. President, I am disappointed that Congress has agreed to put government funding decisions on autopilot for the first 6 months of fiscal year 2013 through another continuing resolution. This means, in effect, that a half year's worth of hearings, briefings, and drafting of a dozen appropriations bills will have been for naught.

I recognize there are many factors at play this year as the clock ticks toward the end of a fiscal year and toward November. But continuing resolutions are no way to run a government, and the consequences for the American people's priorities, and for the agencies and the dedicated workers who implement our policies, will be dramatic.

The world does not stand still, and time does not stand still. Circumstances that should be reflected in our budget decisions are changing all the time. Budgets are about choices. Budgets are about setting priorities. Doing this carefully and thoughtfully through hearings, through fact-finding and through negotiations among the people's representatives in Congress is not an easy process, but it was not meant to be easy. Setting the process on autopilot is anathema to making the right decisions for our country.

As the veteran reporter David Rogers put it today in *Politico*:

Continuing resolutions do only one thing well: 'continue.' They don't allow for new starts and typically set funding at the current rate enjoyed by an agency—with no room for new ideas.

In fact, it is worse than that. As chairman of the State and Foreign Operations Subcommittee I am particularly mindful of changes that have occurred around the world in the past year. The situation in the Middle East and North Africa is one of many examples. Our posture in Iraq and Afghanistan is changing significantly. Humanitarian crises in Syria and South Sudan are far greater than anyone envisioned 1 year ago. At a time when the Chinese are ratcheting up their strategic investments across the globe to advance their national interests, the United States is stuck in neutral.

I sympathize with the chairman and vice chairman of the Appropriations Committee and all the committee staff, who have worked hard to draft and report bipartisan bills. The State and Foreign Operations bill was reported on May 24 by a nearly unanimous, bipartisan vote. It has the strong support of Ranking Member GRAHAM, who worked closely with me in drafting it, as well as minority leader Senator MCCONNELL. With a day or so of floor time we could pass it and go to conference. That is the way it should be.

Yet continuing resolutions are becoming increasingly common because they are a convenient and temptingly easy way to avoid hard decisions. Unfortunately, the American people lose, the country loses, and a great deal of time, effort and money are wasted.

### FREEDOM OF EXPRESSION IN ECUADOR

Mr. LEAHY. Mr. President, several weeks ago I spoke in this Chamber about the assault on freedom of expression in Ecuador, where President Correa has sought to silence his critics including the Special Rapporteur for Freedom of Expression at the Organization of American States.

Last week, these attacks on legitimate expression reached a new height when, according to press reports, Ecuador's Secretariat of Pueblos, Mireya Cardenas, said the government is investigating Fundamedios to determine if the support it receives from the U.S. Agency for International Development—USAID—is being used to interfere in "internal political affairs". She specifically criticized Fundamedios for lodging complaints at the Inter-American Human Rights Commission. She also attacked USAID for supporting sustainable forestry, civil society organizations, and the development of local productive enterprises, which are designed to protect the environment and improve the livelihoods of the Ecuadorian people.

Mr. President, Fundamedios is a respected Ecuadorian nonpartisan organization that seeks to defend freedom of the press at a time when journalists and media organizations in that country are being vilified and threatened by officials of the very government that should be protecting them. It is similar to the conduct we have seen in Russia, Egypt, Azerbaijan, Venezuela, and other countries whose governments mistakenly equate legitimate advocacy by civil society organizations with unlawful political activity, as if Ecuador's political affairs are the sole province of those who the government approves of.

It is also important to reaffirm the indispensable role of the Inter-American human rights system, which has recently been targeted not only by President Correa, but also by the leaders of other Latin countries with weak and corrupt judicial systems who, in the name of "reform", seek to limit access to alternative fora for its citizens to obtain justice for abuses by government security forces. It is interesting that these same governments welcome the support of the OAS when it suits them, but campaign to weaken its mandate when it does not.

To make a bad situation worse, President Correa again recently attacked one of Ecuador's most respected newspapers. A few weeks ago, he said on TV that an editor with *El Universo* was "sinister." And on July 28, he suggested that the editor of *El Comercio*

was "mentally ill" and "unethical", for what appear to be nothing more than public comments made on the paper's website by readers who questioned presidential decisions.

On July 31, members of the police and the labor ministry, reportedly without a warrant, seized several items and information from the offices of the magazine *Vanguardia* for allegedly violating labor laws. The magazine's director, Juan Carlos Calderón, said the incident is an attempt to silence the independent press in Ecuador.

For those of us who want closer relations between the United States and other countries in the hemisphere, including Ecuador, and who believe it is everyone's responsibility to stand up for universal human rights of which freedom of expression is the most cherished, it is disappointing to see the path the Correa government is taking.

This is not about competing political philosophies, party affiliation, or national sovereignty. It is about protecting the right of Ecuadorian journalists and Fundamedios to be free of government interference, and of defending the constitutional rights of all of Ecuador's citizens. The country's first constitution, written in 1830, stipulated that "every citizen can express their thoughts and publish them freely through the press." Its current constitution, just 4 years old, protects each citizen's right "to voice one's opinion and express one's thinking freely and in all of its forms and manifestations."

The people of Ecuador have a right to receive uncensored information. Sometimes that information is accurate, sometimes it is not. Everyone in public office knows that. Personal attacks and inflammatory charges by top officials weaken democratic discourse and have no place in a country with a long commitment to civil liberties.

### HONORING OUR ARMED FORCES

CAPTAIN SCOTT PATRICK PACE

Mr. HATCH. Mr. President, today I rise to pay tribute to CPT Scott Patrick Pace, United States Army. Captain Pace returned with honor to his heavenly home on June 6, 2012. By all accounts, he lived a life of service, hard work, and faith.

While learning about Captain Pace's life, I was struck by the description of those closest to him. They repeatedly described the Captain as someone who "strived to do well." As a youth, he faced obstacles which would keep many from pursuing athletics. However, as a testament to his character, Captain Pace pushed himself and overcame this hurdle by becoming an accomplished athlete in basketball and swimming. His coaches described him as someone who "took responsibility for himself and the team but never blamed his teammates. He's the type of player every coach wants . . . in fact every coach wants five of him . . . Scott was a coach's dream and a leader. He'll be missed dearly in this community."

In addition, to his accomplishments in athletics, Captain Pace excelled in academics. He was at the top of his class in High School. He initially attended Brigham Young University, before being called to a mission for the Church of Jesus Christ of Latter-day Saints in Cordoba, Argentina. After his mission, he was accepted to the United States Military Academy at West Point.

At West Point, Captain Pace continued to set the example by not only graduating with a major in nuclear engineering, but continuing his love of athletics by playing varsity basketball, sprint football, and was a member of West Point's intercollegiate handball team. In fact, Captain Pace was named the most valuable player when West Point's Handball Team won the Division II National Championship.

Upon graduating West Point, at the same time as his brother, Rick, Captain Pace chose aviation and became a OH-58 Kiowa Warrior helicopter pilot and a platoon leader. He then served two back-to-back deployments, for a total of 20 months, in Iraq.

When he returned in 2009, Captain Pace was assigned to Fort Huachuca, AZ. There he completed the Captain's Career Course and intelligence training. After completing his studies, he was assigned to Fort Bragg, where he became the commander of Fox Troop, 1st Squadron, 17th Cavalry Regiment, 82nd Airborne Division. It was in this leadership role, when his helicopter was shot down while engaging the enemy in Ghazni Province, Afghanistan.

I was also quite taken by the comments of Captain Pace's teammates, fellow servicemembers, and friends who stated he always motivated them, not only to do their best, but to be their best, even when no one else was watching.

Captain Scott Patrick Pace was an outstanding young man. He was among the best our Nation has to offer. I know I am joined by the entire Senate in extending our heartfelt condolences to Captain Pace's family. Elaine and I will always keep them in our prayers.

#### WILDFIRE SUPPRESSION AIRCRAFT TRANSFER ACT OF 2012

Mr. MCCAIN. Mr. President, as Members depart Capitol Hill for August recess, wildfires will be raging across much of the Nation perhaps in their home States. Over 1.3 million acres have burned this summer, and historic drought conditions will continue to fan the flames. Last year, my home State of Arizona experienced the largest wildfire in State history, the Wallow Fire, which consumed over 500,000 acres. This year has been particularly distressing for States like Colorado, where the Waldo Canyon Fire near Colorado Springs forced the evacuation of thousands of residents, destroyed more than 350 homes, threatened the U.S. Air Force Academy, and became the

most expensive fire in that State's history. Currently, there are 29 large uncontained wildfire burning across the Nation, according to the National Interagency Fire Center.

Wildfires like these underscore the urgent need to start modernizing our antiquated Forest Service airtanker fleet. Airtankers are a vital tool capable of rapidly altering the paths of major fires and providing immediate protection to ground personnel. Many of the core aircraft operated by the Forest Service are Korean-era DC-3s and P-2Vs that are rapidly failing. Just last month, a P-2V built in 1962 crashed in Utah, tragically killing the pilot and co-pilot. These are but a few examples in long list of terrible accidents where worn out aircraft are being operated far beyond their intended service lives, the perfect recipe for future accidents.

That is why Senator BILL NELSON, Senator DIANNE FEINSTEIN, Senator MIKE JOHANNIS, and I have introduced S. 3441, the Wildfire Suppression Aircraft Transfer Act of 2012. Our bill would transfer fourteen excess C-27J aircraft from the U.S. Air Force to the Forest Service to help recapitalize their airtanker fleet. These are nearly new aircraft that will greatly enhance the mission flexibility and lifespan of the Forest Service fleet. This legislation is supported by the Forest Service as well as certain stakeholder groups like the International Association of Fire Chiefs.

My colleagues and I attempted to pass this legislation before the Senate adjourned for August recess. Regrettably, there are several members with an interest in keeping these aircraft operating who objected to our bill, even though the Pentagon wants to retire them. This is disappointing because our legislation would not interfere with the Congressional prerogative to approve or reject the Department of Defense force structure plan for Fiscal Year 2013. Clearly, there are differing opinions over divesting the C-27J, and I respect the right of Senators who want to address that issue in the context of the National Defense Authorization Act. Our legislation is intended as a post-divestment authority to ensure that the C-27J is put to good use fighting wildfires instead of being mothballed. Over the August recess, I hope to work with the Members who have objected to S. 3441 because I believe these platforms can be utilized to save lives and property.

#### THE CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES

Mr. KERRY. Mr. President, I want to say a few words about the Convention on the Rights of Persons with Disabilities.

I am pleased to report that the Foreign Relations Committee approved this Treaty on July 26, the 22nd anniversary of the Americans with Disabilities Act. I am also pleased that, like the ADA, the Disabilities Convention has strong bipartisan backing.

This treaty is personal to so many of us. I am deeply grateful to our committee members for their thoughtful input on the treaty and the resolution of advice consent, and to Senator MCCAIN and former Majority Leader Dole, who are as deeply committed to this cause as Senator Kennedy was to the original Americans with Disabilities Act.

Passing this treaty isn't just the right thing to do. It is also the smart thing to do. It will extend essential protections to millions of disabled Americans, including our disabled service men and women and veterans, when they travel, study, work, and live abroad. In addition to enshrining the principles of the ADA on the international level, the convention will provide us with a critical tool as we advocate for the adoption of its standards globally standards to which all of us should aspire. By joining, we put ourselves in a stronger position to advance the goals of equality of opportunity, independent living, economic self-sufficiency, and full participation for individuals with disabilities.

The Disabilities Convention is a reflection of our values as a nation. It is who we are from the Civil Rights Act to the Voting Rights Act to the ADA. We saw how America responded to horrifying civil rights images—our country met collectively to right a wrong at home and break the back of Jim Crow. Now is the time to step up and meet collectively to help make it right for the millions of Americans with disabilities when they are overseas and for the hundreds of millions of disabled individuals throughout the world.

This is one of those moments the Senate was intended to live up to—and it calls on all of us to provide leadership and find the common ground. The winners of this treaty will not be defined by party or ideology. The winners will be the American people.

I look forward to working with my colleagues on both sides of the aisle to ensure that the Senate approves the Disabilities Convention during the 112th Congress.

#### NOMINATIONS

Mr. GRASSLEY. Mr. President, a few weeks ago the president of the ABA—purportedly nonpartisan organization—wrote a letter to the majority and Republican leaders regarding nominations and the Leahy-Thurmond rule. I noticed that my good friend the chairman of the Judiciary Committee entered a copy of that letter in the RECORD.

That letter failed to mention quite a few pertinent facts. The Republican leader and I sent the ABA a letter which highlighted some of those facts. I ask unanimous consent that this letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows: