

conditions, the Secretary is to enter into consultations with their government to achieve the purposes of the Act.

The legislation also provides for training of Foreign Service Officers, and directs the Secretary to designate, within the Department of State's Bureau for Democracy, Human Rights, and Labor, an official with responsibility for implementing the provisions of the Act.

Finally, it authorizes the expenditure of funds to implement the Act.

Once enacted, the Foreign Prison Conditions Improvement Act of 2012 will help foreign governments ensure that prisoners in their countries are treated as any people deprived of their freedom should be—as human beings, with dignity, in safety, and provided the basic necessities of life.

In countries around the world, the United States is helping to reform justice systems and strengthen the rule of law. No justice system can claim to deliver justice if prisoners and other detainees are treated like animals, or worse. By helping to change attitudes, and showing how with relatively little money prison conditions can be significantly improved, we can help advance the cause of justice more broadly.

Millions of people around the world look to the United States as a defender of justice. This legislation will further that goal and it reflects the best instincts of the American people. It has already been endorsed by a wide range of groups, including Amnesty International, USA; Baptist World Alliance, Division of Freedom and Justice; Ethics and Religious Liberty Commission of the Southern Baptist Convention; Human Rights First; Human Rights Watch; International CURE; International Justice Mission; International Prison Chaplains' Association; Jewish Council for Public Affairs; Just Detention International; Justice Fellowship/Prison Fellowship Ministries; National Association of Evangelicals; National Religious Campaign Against Torture; New Evangelical Partnership for the Common Good; Open Society Policy Center; Penal Reform International; Religious Action Center of Reform Judaism; United Methodist Church, General Board of Church and Society; and the United States Conference of Catholic Bishops. I want to thank these groups for their support and their efforts to focus attention on this urgent problem.

Identical legislation is being introduced today in the House by Representatives CHRIS SMITH and RUSS CARNAHAN, both of whom care deeply about this issue, so this is a bipartisan, bicameral effort.

Finally, I want to thank Senator INHOFE, who has visited many African countries and has witnessed the problems this legislation seeks to address, as well as his staff, who have been very helpful in this process. At a time when some people seem to get satisfaction from calling Washington broken, this

is another example of how two Senators and two Representatives, of different parties, whose political views often differ, can work together in furtherance of a just cause.

Mr. INHOFE. Mr. President, it is with great pleasure that I introduce the Foreign Prison Conditions Improvement Act along with my friend from Vermont, Senator PATRICK LEAHY.

This bill seeks to identify and eliminate unhealthy and unsafe prison conditions found in developing countries like Haiti and on the African continent where millions suffer in inhumane conditions.

Overcrowded, unsanitary detention and incarceration facilities endanger lives. This extremely high risk environment is a breeding ground for disease, particularly HIV/AIDs and tuberculosis, and creates grave risks to communities in which released prisoners live. Studies estimate that HIV infection rates in prisons in developing countries can be as much as 50 times higher than in the general population, and tuberculosis infection rates in prisons there are more than 20 times higher than in the general population.

Our bill encourages these developing nations to provide humane and sanitary prison conditions so that prisoners can be released in good health, and thus stem one of the causes of the spread of HIV and tuberculosis among the general public. Our bill also focuses on eliminating excessive pre-trial detention and dysfunctional justice systems which frequently result in prisoners and other detainees spending years in unhealthy prison conditions before their cases are even adjudicated. Tragically, inadequate, misplaced or lost records often result in the incarcerated being held indefinitely because their cases have never been heard. Unbelievably, such poor recordkeeping has kept many in prison long after their sentences have been served.

Specifically, our bill calls upon the Department of State to submit to Congress an annual report that describes inhuman prison conditions in at least 30 countries receiving U.S. foreign assistance. It gives the Secretary of State and Administrator of the U.S. Agency for International Development the discretion to restructure, reprogram or reduce U.S. foreign assistance to these countries based upon whether they are making "significant efforts" to eliminate inhuman conditions in their prisons and other detention facilities.

The goals of this bill are noble, but it will take close monitoring and hard work by our U.S. Foreign Service personnel on the ground overseas to fulfill this work. That is why our bill directs the Secretary of State to provide training to these embassy and consulate personnel so that they can effectively investigate and assess prison conditions in foreign prisons as well as assist these foreign governments to adopt substantive prison reforms. The Sec-

retary is also directed to designate and task a Deputy Assistant Secretary of State within the Bureau of Democracy, Human Rights and Labor with the responsibility for gathering the information for the annual report and make recommendations to the Secretary based off its conclusions.

I have visited Africa frequently, and I believe that given the chance, the majority of Africa's leaders will welcome the opportunity to interact with our embassy and consulate personnel and adopt the best practices for achieving the elimination of unhealthy and unsafe conditions in their prisons and other detention facilities.

The task at hand reminds me of the teaching of Jesus in Matthew 25:39:40 when he said, "when did we see you sick or in prison and visit you?" And the King will answer them, 'Truly, I say to you, as you did it to one of the least of these my brothers, you did it to me.'

We are all our brothers' keepers.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 559—HONORING REAR ADMIRAL JONATHAN W. BAILEY FOR HIS LIFETIME OF SELFLESS COMMITMENT AND EXEMPLARY SERVICE TO THE UNITED STATES

Mr. BEGICH (for himself and Ms. SNOWE) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 559

Whereas Rear Admiral Jonathan W. Bailey, the Director of the National Oceanic and Atmospheric Administration (referred to in this preamble as "NOAA") Commissioned Officer Corps (referred to in this preamble as the "NOAA Corps"), retires from the NOAA Corps on September 30, 2012, after 32 distinguished years of service;

Whereas Rear Admiral Bailey was appointed Director of the NOAA Corps by Secretary of Commerce Carlos M. Gutierrez on October 1, 2007, after nomination for the position by President George W. Bush and confirmation by the United States Senate;

Whereas Rear Admiral Bailey has commanded with distinction and provided exceptional leadership to the NOAA Corps since 2007, and has upheld the NOAA Corps values of honor, respect, and commitment;

Whereas Rear Admiral Bailey has had a balanced operational career, with 7 years of sea duty and almost 9 years of flight duty piloting aircraft for NOAA;

Whereas Rear Admiral Bailey played a critical role in developing innovative strategies to improve the NOAA Corps workforce;

Whereas Rear Admiral Bailey oversaw the aerial- and ground-based mapping operations by NOAA that aided search and recovery efforts at the World Trade Center and Pentagon after the September 11, 2001, terrorist attacks;

Whereas Rear Admiral Bailey has ensured that the NOAA Corps provides NOAA with a cadre of officers trained in engineering and science who operate ships, fly aircraft, manage research projects, conduct diving operations, and serve in staff positions throughout NOAA;

Whereas Rear Admiral Bailey, during his tenure as Director of the NOAA Corps, has also served as the Director of the NOAA Office of Marine and Aviation Operations, ensuring that one of the largest civilian research fleets of ships and aircraft in the United States was modernized and prepared to support the NOAA mission of science, service, and stewardship;

Whereas Rear Admiral Bailey was nominated by President Barack Obama to serve as a Commissioner on the Mississippi River Commission; and

Whereas, as NOAA bids fair winds and following seas to Rear Admiral Bailey, it is appropriate that he be remembered for his exceptional and tireless service to the United States and commended for his enviable list of career accomplishments: Now, therefore, be it

*Resolved*, That the Senate recognizes and honors Rear Admiral Jonathan W. Bailey of the National Oceanic and Atmospheric Administration Commissioned Officer Corps, on behalf of a grateful United States, for his lifetime of selfless commitment and exemplary service.

#### SENATE RESOLUTION 560—COMMEMORATING THE 150TH ANNIVERSARY OF THE MARYLAND CAMPAIGN DURING THE CIVIL WAR

Mr. CARDIN (for himself and Ms. MIKULSKI) submitted the following resolution; which was referred to the Committee on Energy and Natural Resources:

##### S. RES. 560

Whereas because of geographic position, Maryland and the citizens of Maryland played a key role in the military and political struggles of the Civil War;

Whereas during the conflict, controlling Maryland was key due to the proximity to Washington D.C., the fact that Maryland shared a border with Virginia and the States still remaining in the Union, and the position of Baltimore as a key railroad link to the West;

Whereas, on September 4, 1862, General Robert E. Lee led his Confederate Army of northern Virginia across the Potomac River near Leesburg, Virginia into Maryland, marking first invasion by General Lee of the North during the Civil War;

Whereas, on September 7, 1862, General George B. McClellan moved the Union Army of the Potomac forces out of Washington D.C. in pursuit;

Whereas, over the ensuing 2 weeks, pitched battles were fought in Harper's Ferry and Shepardstown in West Virginia and South Mountain and Antietam in Maryland, as the 2 forces confronted one another amidst the Appalachian Mountains;

Whereas on September 17, 1862, the climax of the Maryland Campaign took place on the banks of Antietam Creek, near the town of Sharpsburg, Maryland;

Whereas on September 17, 1862, fighting began before dawn when Union forces advanced on Confederate defensive positions behind Antietam Creek, launching 3 assaults along the Cornfield, East Woods, West Woods, and Sunken Road for 8 hours;

Whereas the brutal fighting to cross Burnside Bridge and into Sharpsburg lasted until the afternoon and both armies suffered heavy casualties, ending the combat after a gruesome 12 hours;

Whereas both sides engaged in slow, savage fighting at close range, resulting in the single bloodiest day of war in American history,

with nearly 23,000 total casualties, representing 25 percent of the Union force, and 31 percent of the Confederate force;

Whereas the tactical result of the battle was inconclusive, as each side maintained position until the bitter end;

Whereas on September 18, 1862, as the opposing armies gathered the wounded and buried the dead, General Lee withdrew the Confederate Army back across the Potomac River into Virginia, ending the invasion;

Whereas the Battle of Antietam pitted Marylanders on opposite sides of the fighting, emblematic of national division of the Civil War pitting "brother against brother";

Whereas the people of the United States honor those Marylanders and others who valiantly fought in the Civil War, endured the hardships brought on by the conflict, and who made the ultimate sacrifice to form a more perfect Union; and

Whereas during the sesquicentennial of the Maryland Campaign, it is fitting that the National Park Service, the Maryland Heritage Areas Authority, and all others involved recognize the bravery and steadfast determination of the Marylanders and all people affected by the Civil War: Now, therefore, be it

*Resolved*, That the Senate—

(1) commemorates the 150th anniversary of the Maryland Campaign of the Civil War, culminating in the Battle of Antietam; and

(2) recognizes the dedication and commitment of the National Park Service, the Maryland Heritage Areas Authority, and all others involved, for preserving the heritage and promoting the rich history of the United States.

#### SENATE RESOLUTION 561—RECOGNIZING NATIONAL NATIVE AMERICAN HERITAGE MONTH AND CELEBRATING THE HERITAGES AND CULTURES OF NATIVE AMERICANS AND THE CONTRIBUTIONS OF NATIVE AMERICANS TO THE UNITED STATES

Mr. AKAKA (for himself, Mr. BARRASSO, Mr. INOUE, Mr. CRAPO, Mr. JOHNSON of South Dakota, Ms. MURKOWSKI, Ms. CANTWELL, Mr. TESTER, Mr. FRANKEN, Mr. UDALL of New Mexico, and Mr. JOHANNES) submitted the following resolution; which was referred to the Committee on Indian Affairs.

##### S. RES. 561

Whereas from November 1, 2012, through November 30, 2012, the United States celebrates National Native American Heritage Month;

Whereas Native Americans are descendants of the original, indigenous inhabitants of what is now the United States;

Whereas the United States Bureau of the Census estimated in 2009 that there were almost 5,000,000 individuals in the United States of Native American descent;

Whereas Native Americans maintain vibrant cultures and traditions and hold a deeply rooted sense of community;

Whereas Native Americans have moving stories of tragedy, triumph, and perseverance that need to be shared with future generations;

Whereas Native Americans speak and preserve indigenous languages, which have contributed to the English language by being used as names of individuals and locations throughout the United States;

Whereas Congress has recently reaffirmed its support of tribal self-governance and its commitment to improving the lives of all

Native Americans by enhancing health care services, increasing law enforcement resources, and approving settlements of litigation involving Indian tribes and the United States;

Whereas Congress is committed to improving the housing conditions and socioeconomic status of Native Americans;

Whereas the United States is committed to strengthening the government-to-government relationship that it has maintained with the various Indian tribes;

Whereas Congress has recognized the contributions of the Iroquois Confederacy, and its influence on the Founding Fathers in the drafting of the Constitution of the United States with the concepts of freedom of speech, the separation of governmental powers, and the system of checks and balances between the branches of government;

Whereas with the enactment of the Native American Heritage Day Act of 2009 (Public Law 111-33; 123 Stat. 1922), Congress—

(1) reaffirmed the government-to-government relationship between the United States and Native American governments; and

(2) recognized the important contributions of Native Americans to the culture of the United States;

Whereas Native Americans have made distinct and important contributions to the United States and the rest of the world in many fields, including the fields of agriculture, medicine, music, language, and art, and Native Americans have distinguished themselves as inventors, entrepreneurs, spiritual leaders, and scholars;

Whereas Native Americans have served with honor and distinction in the Armed Forces of the United States, and continue to serve in the Armed Forces in greater numbers per capita than any other group in the United States;

Whereas the United States has recognized the contribution of the Native American code talkers in World War I and World War II, who used indigenous languages as an unbreakable military code, saving countless Americans; and

Whereas the people of the United States have reason to honor the great achievements and contributions of Native Americans and their ancestors: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the month of November 2012 as National Native American Heritage Month;

(2) recognizes the Friday after Thanksgiving as "Native American Heritage Day" in accordance with the Native American Heritage Day Act of 2009 (Public Law 111-33; 123 Stat. 1922); and

(3) urges the people of the United States to observe National Native American Heritage Month and Native American Heritage Day with appropriate programs and activities.

Mr. AKAKA. Mr. President, as Chairman of the Committee on Indian Affairs, I am sponsoring a resolution, co-sponsored by Senators BARRASSO, INOUE, CRAPO, JOHNSON of South Dakota, MURKOWSKI, CANTWELL, TESTER, FRANKEN, and UDALL of New Mexico, designating November as National Native American Heritage Month and November 23rd of this year as Native American Heritage Day.

This resolution recognizes the contributions of Native Americans and their cultures to our country, recognizes Congress' commitment to improving the socioeconomic status of Native Americans, and reaffirms the unique, government-to-government relationship between Native governments