

Senator from North Carolina (Mrs. HAGAN) were added as cosponsors of S. 2099, a bill to amend the Federal Deposit Insurance Act with respect to information provided to the Bureau of Consumer Financial Protection.

S. 2100

At the request of Mr. VITTER, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 2100, a bill to suspend sales of petroleum products from the Strategic Petroleum Reserve until certain conditions are met.

S. 2103

At the request of Mr. LEE, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 2103, a bill to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, and for other purposes.

S. 2105

At the request of Mr. WHITEHOUSE, his name was added as a cosponsor of S. 2105, a bill to enhance the security and resiliency of the cyber and communications infrastructure of the United States.

S. RES. 80

At the request of Mr. WYDEN, his name was added as a cosponsor of S. Res. 80, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 310

At the request of Ms. COLLINS, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. Res. 310, a resolution designating 2012 as the "Year of the Girl" and Congratulating Girl Scouts of the USA on its 100th anniversary.

AMENDMENT NO. 1520

At the request of Mr. BLUNT, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of amendment No. 1520 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

AMENDMENT NO. 1521

At the request of Mr. WICKER, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of amendment No. 1521 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

AMENDMENT NO. 1534

At the request of Mr. VITTER, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of amendment No. 1534 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

AMENDMENT NO. 1535

At the request of Mr. VITTER, the name of the Senator from Texas (Mrs.

HUTCHISON) was added as a cosponsor of amendment No. 1535 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

AMENDMENT NO. 1537

At the request of Mr. HOEVEN, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of amendment No. 1537 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

AMENDMENT NO. 1549

At the request of Mr. COCHRAN, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of amendment No. 1549 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

AMENDMENT NO. 1565

At the request of Mr. SESSIONS, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of amendment No. 1565 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

AMENDMENT NO. 1566

At the request of Mr. SESSIONS, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Indiana (Mr. LUGAR) were added as cosponsors of amendment No. 1566 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

AMENDMENT NO. 1582

At the request of Mr. DEMINT, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of amendment No. 1582 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

AMENDMENT NO. 1591

At the request of Mr. KOHL, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of amendment No. 1591 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

AMENDMENT NO. 1613

At the request of Mr. BEGICH, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of amendment No. 1613 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

AMENDMENT NO. 1617

At the request of Ms. KLOBUCHAR, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of amendment No. 1617 intended to be proposed to S. 1813, a bill to reauthor-

ize Federal-aid highway and highway safety construction programs, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY:

S. 2111. A bill to enhance punishment for identity theft and other violations of data privacy and security; read the first time.

Mr. LEAHY. Mr. President, today, I am pleased to introduce the Cyber Crime Protection Security Act, a bill to strengthen our Nation's cybercrime laws. Developing a comprehensive strategy for cybersecurity is one of the most pressing challenges facing our Nation today, and an issue that the Senate will tackle in the coming weeks. A legislative response to the growing threat of cyber crime must be a part of that conversation.

Protecting American consumers and businesses from cyber crime and other threats in cyberspace has long been a priority of the Senate Judiciary Committee. In September, the Committee favorably reported legislation which included a provision essentially identical to this bill as a part of the Personal Data Privacy and Security Act. Since then, I have worked closely with Senator GRASSLEY to advance cyber crime legislation that will have strong bipartisan support.

Cyber crime impacts all of us, regardless of political party or ideology. Recently, several Republican Senators stated the following in an opinion piece about the Senate's cybersecurity legislation: "In addition, our nation's criminal laws must be updated to account for the growing number of cybercrimes. We support legislation to clarify and expand the Computer Fraud and Abuse Act—including increasing existing penalties, defining new offenses and clarifying the scope of current criminal conduct. These changes will ensure that our criminal laws keep pace with the ever-evolving threats posed by cybercriminals." I could not agree more. I hope that all Senators will support this bill and I urge the Senate to quickly pass this important legislation.

We simply cannot afford to ignore the growing threat of cyber crime. A study released by Symantec Corp estimates that the cost of cybercrime globally is \$114 billion a year. During the past year, we have witnessed major data breaches at Sony, Epsilon, RSA, the International Monetary Fund, and Lockheed Martin, just to name a few. In addition, our Government computer networks have not been spared, as evidenced by the hacking incidents involving the websites of the Senate and Central Intelligence Agency.

The Cyber Crime Protection Security Act takes several important steps to combat cyber crime. First, the bill updates the Federal RICO statute to add violations of the Computer Fraud and

Abuse Act to the definition of racketeering activity, so that the Government can better prosecute organized criminal activity involving computer fraud. Second, the bill streamlines and enhances the penalty structure under the Computer Fraud and Abuse Act. To address cyber crime involving the trafficking of consumers' passwords, the bill also expands the scope of the offense for trafficking in passwords under title 18, United States Code, section 1030(a)(6) to include passwords used to access a protected Government or non-government computer, and to include any other means of unauthorized access to a Government computer.

In addition, the bill clarifies that both conspiracy and attempt to commit a computer hacking offense are subject to the same penalties as completed, substantive offenses, and the bill adds new forfeiture tools to help the Government recover the proceeds of illegal activity.

This legislation also strengthens the legal tools available to law enforcement to protect our nation's critical infrastructure, by adding a new criminal offense that would make it a felony to damage a computer that manages or controls national defense, national security, transportation, public health and safety, or other critical infrastructure systems or information. Lastly, the bill clarifies that relatively innocuous conduct, such as violating a terms of use agreement, should not be prosecuted under the Computer Fraud and Abuse Act.

The bill is strongly supported by the Department of Justice, which is on the front lines of the battle against cybercrime. In fact, the criminal law updates in this bill were a part of the cybersecurity proposal that President Obama delivered to Congress last May. We must give the dedicated prosecutors and investigators in our Government the tools that they need to address criminal activity in cyberspace.

To build a secure future for our Nation and its citizens in cyberspace, Congress must work together, across party lines and ideology, to address the dangers of cybercrime and other cyber threats. It is in that cooperative spirit that I urge all Senators to support this important cybercrime legislation.

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

S. 2111

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Cyber Crime Protection Security Act".

SEC. 2. ORGANIZED CRIMINAL ACTIVITY IN CONNECTION WITH UNAUTHORIZED ACCESS TO PERSONALLY IDENTIFIABLE INFORMATION.

Section 1961(1) of title 18, United States Code, is amended by inserting "section 1030 (relating to fraud and related activity in connection with computers) if the act is a felony," before "section 1084".

SEC. 3. PENALTIES FOR FRAUD AND RELATED ACTIVITY IN CONNECTION WITH COMPUTERS.

Section 1030(c) of title 18, United States Code, is amended to read as follows:

"(c) The punishment for an offense under subsection (a) or (b) of this section is—

"(1) a fine under this title or imprisonment for not more than 20 years, or both, in the case of an offense under subsection (a)(1) of this section;

"(2)(A) except as provided in subparagraph (B), a fine under this title or imprisonment for not more than 3 years, or both, in the case of an offense under subsection (a)(2); or

"(B) a fine under this title or imprisonment for not more than ten years, or both, in the case of an offense under paragraph (a)(2) of this section, if—

"(i) the offense was committed for purposes of commercial advantage or private financial gain;

"(ii) the offense was committed in the furtherance of any criminal or tortious act in violation of the Constitution or laws of the United States, or of any State; or

"(iii) the value of the information obtained, or that would have been obtained if the offense was completed, exceeds \$5,000;

"(3) a fine under this title or imprisonment for not more than 1 year, or both, in the case of an offense under subsection (a)(3) of this section;

"(4) a fine under this title or imprisonment for not more than 20 years, or both, in the case of an offense under subsection (a)(4) of this section;

"(5)(A) except as provided in subparagraph (D), a fine under this title, imprisonment for not more than 20 years, or both, in the case of an offense under subsection (a)(5)(A) of this section, if the offense caused—

"(i) loss to 1 or more persons during any 1-year period (and, for purposes of an investigation, prosecution, or other proceeding brought by the United States only, loss resulting from a related course of conduct affecting 1 or more other protected computers) aggregating at least \$5,000 in value;

"(ii) the modification or impairment, or potential modification or impairment, of the medical examination, diagnosis, treatment, or care of 1 or more individuals;

"(iii) physical injury to any person;

"(iv) a threat to public health or safety;

"(v) damage affecting a computer used by, or on behalf of, an entity of the United States Government in furtherance of the administration of justice, national defense, or national security; or

"(vi) damage affecting 10 or more protected computers during any 1-year period;

"(B) a fine under this title, imprisonment for not more than 10 years, or both, in the case of an offense under subsection (a)(5)(B), if the offense caused a harm provided in clause (i) through (vi) of subparagraph (A) of this subsection;

"(C) if the offender attempts to cause or knowingly or recklessly causes death from conduct in violation of subsection (a)(5)(A), a fine under this title, imprisonment for any term of years or for life, or both; or

"(D) a fine under this title, imprisonment for not more than 1 year, or both, for any other offense under subsection (a)(5);

"(6) a fine under this title or imprisonment for not more than 10 years, or both, in the case of an offense under subsection (a)(6) of this section; or

"(7) a fine under this title or imprisonment for not more than 10 years, or both, in the case of an offense under subsection (a)(7) of this section."

SEC. 4. TRAFFICKING IN PASSWORDS.

Section 1030(a) of title 18, United States Code, is amended by striking paragraph (6) and inserting the following:

"(6) knowingly and with intent to defraud traffics (as defined in section 1029) in—

"(A) any password or similar information or means of access through which a protected computer as defined in subparagraphs (A) and (B) of subsection (e)(2) may be accessed without authorization; or

"(B) any means of access through which a protected computer as defined in subsection (e)(2)(A) may be accessed without authorization."

SEC. 5. CONSPIRACY AND ATTEMPTED COMPUTER FRAUD OFFENSES.

Section 1030(b) of title 18, United States Code, is amended by inserting "for the completed offense" after "punished as provided".

SEC. 6. CRIMINAL AND CIVIL FORFEITURE FOR FRAUD AND RELATED ACTIVITY IN CONNECTION WITH COMPUTERS.

Section 1030 of title 18, United States Code, is amended by striking subsections (i) and (j) and inserting the following:

"(i) CRIMINAL FORFEITURE.—

"(1) The court, in imposing sentence on any person convicted of a violation of this section, or convicted of conspiracy to violate this section, shall order, in addition to any other sentence imposed and irrespective of any provision of State law, that such person forfeit to the United States—

"(A) such person's interest in any property, real or personal, that was used, or intended to be used, to commit or facilitate the commission of such violation; and

"(B) any property, real or personal, constituting or derived from any gross proceeds, or any property traceable to such property, that such person obtained, directly or indirectly, as a result of such violation.

"(2) The criminal forfeiture of property under this subsection, including any seizure and disposition of the property, and any related judicial or administrative proceeding, shall be governed by the provisions of section 413 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 853), except subsection (d) of that section.

"(j) CIVIL FORFEITURE.—

"(1) The following shall be subject to forfeiture to the United States and no property right, real or personal, shall exist in them:

"(A) Any property, real or personal, that was used, or intended to be used, to commit or facilitate the commission of any violation of this section, or a conspiracy to violate this section.

"(B) Any property, real or personal, constituting or derived from any gross proceeds obtained directly or indirectly, or any property traceable to such property, as a result of the commission of any violation of this section, or a conspiracy to violate this section.

"(2) Seizures and forfeitures under this subsection shall be governed by the provisions in chapter 46 of title 18, United States Code, relating to civil forfeitures, except that such duties as are imposed on the Secretary of the Treasury under the customs laws described in section 981(d) of title 18, United States Code, shall be performed by such officers, agents and other persons as may be designated for that purpose by the Secretary of Homeland Security or the Attorney General."

SEC. 7. DAMAGE TO CRITICAL INFRASTRUCTURE COMPUTERS.

(a) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by inserting after section 1030 the following:

"SEC. 1030A. AGGRAVATED DAMAGE TO A CRITICAL INFRASTRUCTURE COMPUTER.

"(a) DEFINITIONS.—In this section—

"(1) the terms 'computer' and 'damage' have the meanings given such terms in section 1030; and

"(2) the term 'critical infrastructure computer' means a computer that manages or

controls systems or assets vital to national defense, national security, national economic security, public health or safety, or any combination of those matters, whether publicly or privately owned or operated, including—

“(A) gas and oil production, storage, and delivery systems;

“(B) water supply systems;

“(C) telecommunication networks;

“(D) electrical power delivery systems;

“(E) finance and banking systems;

“(F) emergency services;

“(G) transportation systems and services; and

“(H) government operations that provide essential services to the public.

“(b) OFFENSE.—It shall be unlawful to, during and in relation to a felony violation of section 1030, intentionally cause or attempt to cause damage to a critical infrastructure computer, and such damage results in (or, in the case of an attempt, would, if completed have resulted in) the substantial impairment—

“(1) of the operation of the critical infrastructure computer; or

“(2) of the critical infrastructure associated with the computer.

“(c) PENALTY.—Any person who violates subsection (b) shall be fined under this title, imprisoned for not less than 3 years nor more than 20 years, or both.

“(d) CONSECUTIVE SENTENCE.—Notwithstanding any other provision of law—

“(1) a court shall not place on probation any person convicted of a violation of this section;

“(2) except as provided in paragraph (4), no term of imprisonment imposed on a person under this section shall run concurrently with any other term of imprisonment, including any term of imprisonment imposed on the person under any other provision of law, including any term of imprisonment imposed for the felony violation section 1030;

“(3) in determining any term of imprisonment to be imposed for a felony violation of section 1030, a court shall not in any way reduce the term to be imposed for such crime so as to compensate for, or otherwise take into account, any separate term of imprisonment imposed or to be imposed for a violation of this section; and

“(4) a term of imprisonment imposed on a person for a violation of this section may, in the discretion of the court, run concurrently, in whole or in part, only with another term of imprisonment that is imposed by the court at the same time on that person for an additional violation of this section, provided that such discretion shall be exercised in accordance with any applicable guidelines and policy statements issued by the United States Sentencing Commission pursuant to section 994 of title 28.”

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 47 of title 18, United States Code, is amended by inserting after the item relating to section 1030 the following:

“Sec. 1030A. Aggravated damage to a critical infrastructure computer.”.

SEC. 8. LIMITATION ON ACTIONS INVOLVING UNAUTHORIZED USE.

Section 1030(e)(6) of title 18, United States Code, is amended by striking “alter;” and inserting “alter, but does not include access in violation of a contractual obligation or agreement, such as an acceptable use policy or terms of service agreement, with an Internet service provider, Internet website, or non-government employer, if such violation constitutes the sole basis for determining that access to a protected computer is unauthorized;”.

By Mrs. HAGAN:

S. 2113. A bill to empower the Food and Drug Administration to ensure a clear and effective pathway that will encourage innovative products to benefit patients and improve public health; to the Committee on Health, Education, Labor, and Pensions.

Mrs. HAGAN. Mr. President, today I am proud to introduce the Transforming the Regulatory Environment to Accelerate Access to Treatments, TREAT, Act.

This bill empowers the Food and Drug Administration to ensure consistent processes and a clear and effective pathway that will encourage the development of innovative treatments to benefit patients, particularly subpopulations and those with rare diseases, and improve the public health.

Without question, the FDA plays a critical role in helping to ensure that new medicines are safe and effective. At the same time, by promoting investment in and development of innovative treatments for unmet medical needs, the FDA can positively influence our national strategy to identify and treat serious and life-threatening diseases and improve the quality of life for millions of Americans.

In order for FDA to accomplish this goal, however, Congress needs to give the agency the tools necessary to transcend existing barriers, reform its processes, and provide greater clarity, consistency, and transparency to industry.

The bill accomplishes this in three ways.

First, it provides the FDA with the authorities and tools that are reflective of the agency’s responsibilities and that are necessary to ensure maximum operational excellence by updating FDA’s mission statement and creating a management review board.

Second, it advances regulatory science and innovation within FDA to ensure that evaluations of innovative treatments, therapies, and diagnostics are conducted by those who have the best available knowledge. To do this, the bill creates a chief innovation officer and chief medical policy officers, and expands participation on advisory committees by those experts most familiar with the disease being considered.

Finally, the bill promotes the utilization of modern scientific tools and methodologies to ensure patients have timely access to innovative products by creating a clinical informatics coordinator, providing more information to drug sponsors when an application has not been approved, and enhancing and codifying the accelerated approval process.

In the nearly 2 decades since the accelerated approval mechanism was established by FDA to more expeditiously approve treatments, advances in medical sciences, including genomics, molecular biology, and bioinformatics, have provided scientists with an unprecedented understanding of the underlying biological mechanisms and pathogenesis of disease.

A new generation of modern, targeted, personalized medicines is currently under development to treat serious and life-threatening diseases. Some apply drug development strategies based on biomarkers or pharmacogenomics, predictive toxicology, clinical trial enrichment techniques, and novel clinical trial designs, such as adaptive clinical trials that can be altered based on observed patient outcomes in the interim.

In order to ensure these scientific advances are translated into treatments that benefit patients, Congress should allow FDA to implement a more effective process for the expedited development and review of innovative new medicines intended to address unmet medical needs for serious or life-threatening diseases or conditions.

FDA is already doing this, to some extent. However, application of the accelerated approval process has been somewhat limited, largely to HIV and oncology drugs, and inconsistently applied to other disease targets. For example, a 2011 report by the National Organization for Rare Disorders compared the approval process for 135 non-cancer orphan therapies approved by FDA from 1983 through June 2010. The report found that 45 went through the conventional approval process; 32 were approved with some sort of administrative flexibility; and 58 were approved on a case-by-case flexibility process. This report illustrates that while FDA does have the authority to approve these treatments with some flexibility, there does not appear to be uniformity or consistency in employing this flexibility.

The TREAT Act allows FDA to tap into modern scientific advances by using a broad range of surrogate or clinical endpoints and modern scientific tools earlier in the drug development cycle, when appropriate, to approve treatments for patients. Employing these modern scientific tools may result in fewer, smaller, or shorter clinical trials for the intended patient population or targeted subpopulation without compromising or altering FDA’s existing high standards for the approval of drugs.

It is the patients suffering from these serious and life-threatening diseases that benefit from expedited access to safe and effective innovative therapies. For the 30 million Americans living with rare diseases, new advances in science and medicine cannot come fast enough. That is why I am proud that this bill has the support of the National Organization for Rare Disorders (NORD) and Friends of Cancer Research. The TREAT Act provides FDA with the tools needed to modernize its processes and encourage the development of innovative products to benefit patients, particularly subpopulations and those with rare diseases.

I urge my other colleagues to join us in supporting this important bill.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 376—COMMEMORATING THE 225TH ANNIVERSARY OF THE SIGNING OF THE CONSTITUTION OF THE UNITED STATES AND RECOGNIZING THE CONTRIBUTIONS OF THE NATIONAL SOCIETY OF THE SONS OF THE AMERICAN REVOLUTION AND THE NATIONAL SOCIETY DAUGHTERS OF THE AMERICAN REVOLUTION

Mr. WICKER submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 376

Whereas the American Revolution secured the independence of the United States of America and made possible the vibrant system of self-government of the United States;

Whereas the supporters of the American Revolution, through their vision and determination, enhanced the lives of countless individuals and made possible the system of equal justice, limited government, and the rule of law that exists in the United States;

Whereas the people who fought in the American Revolution made great sacrifices for their fledgling country;

Whereas the 55 delegates who attended the Constitutional Convention in Philadelphia, Pennsylvania 225 years ago, and the 39 delegates who signed the Constitution of the United States at the Constitutional Convention, irrevocably changed the course of history;

Whereas the Constitution of the United States, a revered and living document—

(1) provides important rights to every citizen of the United States;

(2) secures “the Blessings of Liberty to ourselves and our Posterity”; and

(3) sets the standard of democracy for the world;

Whereas the delegates to the Constitutional Convention in 1787 established the imperative precedent of compromise;

Whereas the Constitution and the subsequent 27 amendments to the Constitution outline the freedoms and the principles of representative government that are as strong today as they were on that momentous occasion in 1787;

Whereas September 17, 2012, marks the 225th anniversary of the signing of the Constitution of the United States, which is the supreme law of the land and the document by which the people of the United States govern their great country;

Whereas, to venerate the immeasurable importance of the Constitution and the day on which the Constitution was signed, it is essential to continually educate people about, and celebrate, the principles and legacy of the Founding Fathers; and

Whereas members of organizations such as the National Society of the Sons of the American Revolution and the National Society Daughters of the American Revolution play an important role in promoting patriotism, preserving the history of the United States, and educating the public about the rights and responsibilities of citizenship: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the 225th anniversary of the signing of the Constitution of the United States on September 17, 2012, and remembers the sacrifices made by the people who made the signing possible; and

(2) applauds the continuing contributions made by the members, volunteers, and staff of historical, educational, and patriotic soci-

eties of the United States, such as the National Society of the Sons of the American Revolution and the National Society Daughters of the American Revolution, in promoting patriotism and the values embodied in the Constitution of the United States.

SENATE RESOLUTION 377—RECOGNIZING THE 50TH ANNIVERSARY OF THE HISTORIC ACHIEVEMENT OF JOHN HERSHEL GLENN, JR., IN BECOMING THE FIRST UNITED STATES ASTRONAUT TO ORBIT THE EARTH

Mr. BROWN of Ohio (for himself, Mr. PORTMAN, Mr. NELSON of Florida, Mr. ROCKEFELLER, Mr. WICKER, Mr. BOOZMAN, Mr. DURBIN, Mrs. HUTCHISON, Mr. PRYOR, Mrs. MURRAY, Mr. REID of Nevada, Mr. SCHUMER, and Mr. LEVIN) submitted the following resolution; which was considered and agreed to:

S. RES. 377

Whereas John Herschel Glenn, Jr. was born on July 18, 1921, in Cambridge, Ohio to parents John and Clara Glenn;

Whereas John Glenn grew up in New Concord, Ohio with his childhood sweetheart and future wife, Annie Castor, 150 miles east of Dayton, Ohio, the birthplace of the Wright brothers, who first took humankind into flight;

Whereas John Glenn enlisted in the Naval Aviation Cadet program shortly after the December 7, 1941, attack on Pearl Harbor, Hawaii, and was commissioned as an officer in the United States Marine Corps in 1943;

Whereas John Glenn received many honors for his military service, including the Distinguished Flying Cross on 6 occasions, the Air Medal with 18 Clusters, the Asiatic-Pacific Campaign Medal, the American Campaign Medal, the World War II Victory Medal, the China Service Medal, the National Defense Service Medal, and the Korean Service Medal;

Whereas, with the onset of the Cold War, the United States and the free world feared the intentions of the Soviet Union in space;

Whereas President Dwight D. Eisenhower asked the National Aeronautics and Space Administration (referred to in this preamble as “NASA”) to find the most talented, patriotic, and selfless test pilots to participate in Project Mercury, the first human spaceflight program in the United States;

Whereas John Glenn and fellow candidates for NASA’s Astronaut Corps underwent pressure suit, acceleration, vibration, heat, loud noise, psychiatric, personality, motivation, and aptitude tests at the Aeromedical Laboratory at the Wright Air Development Center in Dayton, Ohio;

Whereas John Glenn, Malcolm S. Carpenter, L. Gordon Cooper, Jr., Virgil I. “Gus” Grissom, Walter M. Shirra, Jr., Alan B. Shepard, Jr., and Donald K. Slayton were selected from among hundreds of other patriotic candidates to be named the original “Mercury Seven” astronauts;

Whereas Project Mercury was charged with the unprecedented responsibility of competing with the strides that the Soviet Union was making in space exploration;

Whereas the United States public viewed John Glenn and the Mercury Seven astronauts as men on the front line of the war not only for space supremacy but also, in many minds, for the survival of the United States;

Whereas John Glenn accurately captured the significance of the time when he later wrote that “the world was at the door of a new age, and we were the people who had been chosen to take the first steps across the threshold”;

Whereas the Project Mercury astronauts trained for their manned space flight missions in the Multi-Axis Space Training Inertial Facility at NASA’s Research Center in Cleveland, Ohio;

Whereas Alan Shepard was chosen to pilot the first manned Project Mercury mission on *Freedom 7* on May 5, 1961, which proved that the United States was capable of successfully launching a person into suborbital flight;

Whereas Virgil Grissom was chosen to pilot the second manned Project Mercury mission on *Liberty Bell 7* and became the second United States astronaut to achieve suborbital flight on July 21, 1961;

Whereas the Soviet Union had successfully launched the spacecrafts *Lunar 2* and *Lunar 3* in 1959 before successfully launching and returning to Earth Major Yuri Gagarin, who completed a 108-minute single orbit around the Earth in 1961;

Whereas John Glenn was selected from among the Project Mercury astronauts to command the first United States capsule to orbit the Earth;

Whereas John Glenn, with the help of his children Dave and Lyn, named the first United States space capsule to orbit the Earth *Friendship 7*, re-emphasizing the peaceful intentions of the United States space exploration program;

Whereas John Glenn trained vigorously, working through 70 simulated missions and reacting to nearly 200 simulated system failures, to prepare to orbit the Earth and successfully complete the first manned orbital mission for the United States;

Whereas the work that John Glenn conducted on the cockpit layout, instrument panel design, and spacecraft controls in the Mercury spacecraft enhanced the design of *Friendship 7* and the ability of an astronaut to control *Friendship 7*, which proved useful during the mission;

Whereas, at 9:47 a.m. Eastern Standard Time on February 20, 1962, the Atlas 109D rocket boosters ignited and John Glenn and *Friendship 7* commenced liftoff at NASA’s Space Center in Cape Canaveral, Florida;

Whereas John Glenn, aboard *Friendship 7*, became the first United States astronaut to orbit the Earth, orbiting 3 times and observing 3 sunrises, 3 sunsets, and the wonder of the universe in only 4 hours and 56 minutes;

Whereas, when John Glenn learned that the heat shield on *Friendship 7* had possibly become loose in orbit, compromising the successful completion of the space mission, Glenn bravely managed the reentry procedures and proved that a person can safely and successfully complete a NASA mission;

Whereas John Glenn successfully completed reentry into Earth, splashing down in the Atlantic Ocean at 2:43 p.m. Eastern Standard Time, east of Grand Turk Island at 21 degrees, 25 minutes North latitude and 68 degrees, 36 minutes West longitude, and was recovered by the USS *Noa*;

Whereas, in the context of the Cold War, the success of the *Friendship 7* flight restored the standing of the United States as the leading country in the race to space against the Soviet Union;

Whereas the completion of the inaugural orbit of the Earth by John Glenn validated NASA’s manned space flight mission and secured the future missions of NASA’s manned space capsules;

Whereas the people of the United States heralded John Glenn as the personification of heroism and dignity in an age of uncertainty and fear;

Whereas the press later described John Glenn as a man who embodied the noblest human qualities;

Whereas President John F. Kennedy echoed the belief held by John Glenn that the United States space program was not