

Mr. LEAHY. Madam President, I ask unanimous consent to yield back all time on both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to Coburn amendment No. 13.

Mr. LEAHY. Madam President, the yeas and nays have not been requested, have they?

The PRESIDING OFFICER. They have not.

Mr. LEAHY. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Mississippi (Mr. COCHRAN), the Senator from Texas (Mr. CRUZ), the Senator from Nevada (Mr. HELLER), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Kansas (Mr. MORAN), the Senator from Kansas (Mr. ROBERTS), the Senator from Alabama (Mr. SHELBY), the Senator from Louisiana (Mr. VITTER), and the Senator from Mississippi (Mr. WICKER).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

The PRESIDING OFFICER (Mr. DONNELLY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 31, nays 59, as follows:

[Rollcall Vote No. 14 Leg.]

YEAS—31

Ayotte	Fischer	McConnell
Barrasso	Flake	Paul
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Rubio
Chambliss	Hoeven	Scott
Coats	Inhofe	Sessions
Coburn	Isakson	Thune
Corker	Johanns	Toomey
Cornyn	Lee	
Enzi	McCain	

NAYS—59

Baldwin	Hagan	Murphy
Baucus	Harkin	Murray
Begich	Heinrich	Nelson
Bennet	Heitkamp	Pryor
Blumenthal	Hirono	Reed
Boxer	Johnson (SD)	Reid
Brown	Kaine	Rockefeller
Cantwell	King	Sanders
Cardin	Kirk	Schatz
Carper	Klobuchar	Schumer
Casey	Landrieu	Shaheen
Collins	Lautenberg	Stabenow
Coons	Leahy	Tester
Cowan	Levin	Udall (CO)
Crapo	Manchin	Udall (NM)
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden
Gillibrand	Murkowski	

NOT VOTING—10

Alexander	Johnson (WI)	Vitter
Cochran	Moran	Wicker
Cruz	Roberts	
Heller	Shelby	

The amendment (No. 13) was rejected.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business with Senators permitted to speak for up to 10 minutes each.

The Senator from North Carolina.

TRIBUTE TO KIRK NOBEL BLOODSWORTH

Mr. LEAHY. Mr. President, any one of us can only imagine what it would be like to be wrongly arrested, tried, convicted, and sentenced to death for a crime we did not commit. And whatever we imagined would pale by comparison to reality.

Kirk Nobel Bloodsworth, who I am privileged to call a friend, was the victim of such a horrific miscarriage of justice. He served 9 years for the rape and murder of a young girl he never met, based on the mistaken identification by one of Kirk's neighbors.

Eyewitness identifications, assumed to be among the best evidence, are notoriously unreliable. Case after case demonstrates this. Take the massive search currently underway for Christopher Dorner, the former Los Angeles police officer suspected in three killings. The police have been inundated with numerous false "sightings."

Kirk Bloodsworth is a free man today not because the justice system worked. For 9 years it failed miserably, and during that time the real killer was free. Rather, he had to prove his innocence thanks to DNA evidence, which is not available in most cases. One shudders to think of the number of factually innocent people who may be serving long sentences for whom exoneration through DNA testing isn't an option.

A February 5, 2013, article in the New York Times quotes Kirk: "The adversarial system doesn't know who's guilty or who's innocent. The millstone doesn't know who's under it." That article, entitled "A Death Penalty Fight Comes Home," is notable because it describes the campaign Kirk is helping to lead to abolish the death penalty in Maryland, the State where he was convicted and sent to death row.

Kirk is an example of someone who was subjected to the basest indignities and humiliation, and who then came back to inspire others to prevent future unjust convictions. It is the mark of a man of extraordinary character and courage, who deserves our praise and admiration. I ask unanimous consent that a copy of the article be printed in the RECORD.

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

[From the New York Times, Feb. 5, 2013]

A DEATH PENALTY FIGHT COMES HOME

(By Scott Shane)

ANNAPOLIS, MD—Kirk Noble Bloodsworth, a beefy, crew-cut man whose blue T-shirt read "Witness to Innocence," took the microphone in a church hall here and ran

through his story of injustice and redemption one more time. Twenty years ago, he walked out of a Maryland prison, the first inmate in the nation to be sentenced to death and then exonerated by DNA.

About 60 activists against the death penalty listened with rapt attention, preparing to descend on state legislators to press their case. Maryland appears likely in the next few weeks to join the growing list of states that have abolished capital punishment. Some longtime death penalty opponents say no one in the country has done more to advance that cause than Mr. Bloodsworth. But ending executions in Maryland, the state that once was determined to kill him, would be a personal victory for him.

Even for proponents of capital punishment, Mr. Bloodsworth's tale is deeply unsettling. In 1984, he was a former Marine with no criminal record who had followed his father's profession as a waterman on the Eastern Shore of Maryland. A woman glimpsed on television a police sketch of the suspect in the rape and murder of a 9-year-old girl outside Baltimore. She thought it looked like her neighbor Kirk, and she called the police.

From there, with the police and prosecutors under intense pressure to solve the crime, it was a short route to trial, conviction and a death sentence for a man whose Dickensian name, after all, seemed to imply guilt.

"I was accused of the most brutal murder in Maryland history," Mr. Bloodsworth, now 52, told the church audience. "It took the jury two and a half hours to send me to the gas chamber."

Only after nine years in the state's most decrepit and violent prisons did Mr. Bloodsworth, through his own perseverance and some aggressive lawyering, manage to get the still-novel DNA test that finally proved his innocence in 1993.

Even then, prosecutors publicly expressed doubt about his innocence. "Nobody knew what DNA was then—it was sort of shaman science, a 'get out of jail free' card," he said in an interview. It took another decade—and, again, Mr. Bloodsworth's own dogged efforts—before officials ran the DNA from the murder scene through a database and identified the real killer, who is now serving a life sentence. He bore little resemblance to the description that the police had compiled from eyewitnesses.

Mr. Bloodsworth said he kept pursuing the test to clear himself once and for all, but also to find the killer of the girl, Dawn Hamilton, who was found in the woods stripped of clothing from the waist down, her head crushed with a piece of concrete. "This was a ghastly, horrific thing," he said.

Even after his release, Mr. Bloodsworth could never quite escape the false charges that had threatened him with execution. He tried to return, he said, to "a normal life," but he was haunted by what he had learned about the justice system.

"If it could happen to me, it could happen to anybody," he said. He threw himself into work against capital punishment and for justice reform, first as a volunteer speaker and later as a professional advocate. Last month he began work as the advocacy director for Witness to Innocence, a Philadelphia-based coalition of exonerated death row inmates who push to end capital punishment.

The movement to end the death penalty has garnered more support from politicians and the public as it has shifted from moral condemnation of capital punishment to a more practical argument: that mistakes by witnesses and the police inevitably mean that innocent people will be executed. While DNA gets the limelight, of 142 prisoners sentenced to death and then exonerated in the last 40 years, just 18 were freed over DNA

evidence, according to the Death Penalty Information Center in Washington.

Use of the death penalty has been steadily declining, and 17 states no longer have it on the books, with 5 of them abolishing it since 2007, said Richard C. Dieter, the center's executive director. Executions dropped to 43 last year from 98 in 1999.

"These innocence cases are the biggest single factor, because it has spread doubt throughout the system," Mr. Dieter said.

Mr. Bloodworth, a tireless public speaker who has visited state after state to lobby for repeal, handing out a 2004 book on his case, called "Bloodworth," has used his own experience to promote those doubts. "I think no single individual has changed as many minds as Kirk," said Jane Henderson, the director of Maryland Citizens Against State Executions, a lobbying group. "He's articulate, patient, and he's got a huge heart."

His homespun eloquence has unmistakable appeal, but his own tale is his most powerful argument. Prosecutors and jurors ignored glaring problems with witnesses—two were boys who did not pick Mr. Bloodworth out of a lineup—and dismissed five alibi witnesses who testified that he was home at the time of the murder.

"The adversarial system doesn't know who's guilty or who's innocent," Mr. Bloodworth said. "The millstone does not know who's under it."

At the Maryland Penitentiary in Baltimore, he could stretch out his arms and touch the sides of his cell. He stuffed paper in his ears at night to keep the cockroaches out. His skull was cracked by another inmate who swung a sock stuffed with batteries. He was still locked up when his mother died.

After his release, he was pardoned and was paid \$300,000 in compensation by the state. But even as he worked for death penalty abolition in other states, he became a regular visitor to Annapolis, pressing legislators to learn from his case. "I'm a walking reminder for them," he said.

Delegate Barbara A. Frush, a Maryland legislator for 19 years, said a visit from Mr. Bloodworth two years ago changed her mind about capital punishment, which she had long favored. "I sat across the desk from him and looked in his eyes and listened to his story," she said. "It sent shivers down my spine. I thought, I can't take the chance that I might send an innocent man to death."

This week, for the first time, he had a private visit with the longtime president of the State Senate, Thomas V. Mike Miller Jr., who has decided to allow a floor vote on the repeal bill. Mr. Bloodworth left the meeting more optimistic than ever.

From time to time, he has heard from the people who sent him to prison. A juror got in touch to apologize. One of the two lead homicide detectives sought him out; "it seemed like he wanted absolution," Mr. Bloodworth said. One of the prosecutors, S. Ann Brobst, who had called him "a monster" at trial, insisted on driving to the Eastern Shore to give him in person the news of the DNA hit on the actual murderer.

At the church hall, he turned from his own story to the prospects for action in Maryland.

"What do you smell?" he bellowed.

"Victory!" the advocates yelled back.

"It's time to close the case," Mr. Bloodworth declared, raising his arms in anticipation.

REMEMBERING ROBERT S. TELLALIAN

Mr. BLUMENTHAL. Mr. President, I rise today to pay tribute to Robert

Tellalian—an attorney, community advocate, and beloved family member and friend, who brought joy to many in Connecticut. He was a true community leader in a very timeless, enduring way—wisely guiding civic organizations, unstintingly contributing time and energy, and enthusiastically giving of his great spirit and good humor.

After helping the Goodwill of Western and Northern Connecticut to incorporate in 1951, Mr. Tellalian served on its board for many years. He also connected with Goodwill's clients and staff personally on the frontlines in quite another way. Donning a red suit and beard for the annual Goodwill Christmas party, he shared his good energy and holiday spirit with those who needed it the most—the poor and suffering and the Bridgeport employees who had seen it all. He was given Goodwill's Leadership Award in 2011. And, as if he had planned it, he passed away this past year on Christmas Day at age 91.

He earned a Soldier's Medal for Valor in World War II, fighting at the Battle of the Bulge in the Army's 10th Armored Division, but instead, chose to be remembered through seemingly minor but extremely meaningful gestures of kindness and personal connection.

Mr. Tellalian was born in New Haven and raised in Bridgeport. After attending Yale University and the University of Connecticut School of Law, he along with his brother, Judge Aram H. Tellalian, Jr., founded the firm, Tellalian & Tellalian. The Tellalian's firm was a fixture in Bridgeport, and Robert practiced family and estate law for his entire career. The firm later moved to Trumbull, where Mr. Tellalian continued his involvement. This fact and many others demonstrate his uncommon dedication to tradition, intense loyalty for his community and the practice of law, and strong, authentic relationship with his brother and countless loved ones.

Throughout his life, he was intensely involved in a number of charities and local organizations throughout Connecticut, especially in Bridgeport and Easton. In addition to the Goodwill of Western and Northern Connecticut, he was an active member of the Yale Club of Eastern Fairfield County, the Bridgeport Area Foundation, and the United Way. He also served as the secretary of the Easton Senior Center Board of Directors and the president of the Council of Churches of Greater Bridgeport.

Aside from his tremendous contributions to charity and community, Mr. Tellalian would most like to be remembered, I believe, for his love of music. He had great pride for the Greater Bridgeport Symphony and the joy it added to Connecticut. He was a man who, in his role of chairman of the board, would greet patrons in the lobby of the concert hall for decades. One time, when interviewed by the Connecticut Post, he commented that the opportunity to guest-conduct the Sym-

phony was "the biggest thrill of [his] life." Additionally, he was an avid acapella singer, and treasured the memories he made with his barbershop quartet—the Eastonaires—with whom he performed throughout the State and country, even on the White House lawn during a Fourth of July picnic hosted by President and Nancy Reagan. And, for more than 50 years, he sang in the church choir—most recently for the United Congregational Church in Bridgeport—where he and his wife, Jean, who died this past November, were longtime congregants and celebrated their 60th wedding anniversary.

Last month, the United Congregational Church hosted a musical memorial service for Mr. Tellalian. Almost 100 singers and instrumentalists gathered from around the region to volunteer their time in tribute to a man they loved.

Robert Tellalian was generous of spirit and filled with compassion, dedicating much of his life to the happiness of others. He loved life, and lifted others up.

Today, I invite my colleagues to honor the life of a man who will be deeply missed, but whose spirit of kinship will live on in all he touched.

ADDITIONAL STATEMENTS

CONGRATULATING KONNER ROBINSON AND ANTHONY SCHRECENGOST

• Mr. HELLER. Mr. President, today I wish to recognize two of Nevada's finest, Konner Robinson and Anthony Schrecengost, for being named Nevada's top two youth volunteers of 2013 by the Prudential Spirit of Community Awards. For 18 years, this nationwide award program has partnered with the National Association of Secondary School Principals to honor outstanding acts of volunteerism.

Konner is a junior at Sage Ridge School in Reno, NV. He created a fund to provide grants to local schools to enable them to offer technology-based learning tools to financially disadvantaged students. Konner was inspired to start this project when he discovered one of his classmates could not complete her physics homework because she could not afford to buy a graphing calculator. I commend his commitment to providing access to technology for all students. All Americans should follow Konner's lead and work to ensure our schools have the resources they need to provide our children with the best education possible.

Anthony, an eighth grader at Sig Rogich Middle School in Las Vegas, NV, has been a committed volunteer for the Food Allergy & Anaphylaxis Network, FAAN, for the past 3 years. He has been raising both money and awareness to help those who, like him, suffer from food allergies. Anthony's motivation to work on behalf of others who share his condition is inspiring.