

Corker Isakson Portman  
Cornyn Johanns Risch  
Crapo Johnson (WI) Roberts  
DeMint Kirk Rubio  
Ensign Kyl Sessions  
Enzi Lee Shelby  
Graham Lugar Snowe  
Grassley McCain Thune  
Hatch McConnell Thune  
Hoeven Moran Toomey  
Hutchison Murkowski Vitter  
Inhofe Paul Wicker

NAYS—53

Akaka Hagan Nelson (NE)  
Baucus Harkin Nelson (FL)  
Begich Inouye Pryor  
Bennet Johnson (SD) Reed  
Bingaman Kerry Reid  
Blumenthal Klobuchar Rockefeller  
Boxer Kohl Sanders  
Brown (OH) Landrieu Schumer  
Cantwell Lautenberg Shaheen  
Cardin Leahy Stabenow  
Carper Levin Tester  
Casey Lieberman Udall (CO)  
Conrad Manchin Udall (NM)  
Coons McCaskill Warner  
Durbin Menendez Webb  
Feinstein Merkley Whitehouse  
Franken Mikulski Wyden  
Gillibrand Murray

The PRESIDING OFFICER (Mr. FRANKEN). On this vote, the yeas are 47, the nays are 53. Under the previous order requiring 60 votes for the adoption of the concurrent resolution, the concurrent resolution is rejected.

The Senator from Washington. Mrs. MURRAY. Mr. President, I ask unanimous consent that the following votes be 10-minute votes.

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

Under the previous order, the motion to reconsider is considered made and laid upon the table.

CORRECTING THE ENROLLMENT OF H.R. 1473

The PRESIDING OFFICER. Under the previous order, the clerk will report H. Con. Res. 36, which was received from the House.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 36) directing the clerk of the House of Representatives to make a correction in the enrollment of H.R. 1473.

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to the vote.

The Senator from Washington. Mrs. MURRAY. Mr. President, I yield back all debate time, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the concurrent resolution.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 42, nays 58, as follows:

[Rollcall Vote No. 60 Leg.]

YEAS—42

Alexander Blunt Chambliss  
Ayotte Boozman Coats  
Barrasso Burr Coburn

Cochran Hutchison Paul  
Corker Inhofe Portman  
Cornyn Isakson Risch  
Crapo Johanns Roberts  
DeMint Johnson (WI) Rubio  
Ensign Kyl Sessions  
Enzi Lee Shelby  
Graham Lugar Thune  
Grassley McCain Toomey  
Hatch Moran Vitter  
Hoeven Moran Wicker

NAYS—58

Akaka Hagan Nelson (NE)  
Baucus Harkin Nelson (FL)  
Begich Inouye Pryor  
Bennet Johnson (SD) Reed  
Bingaman Kerry Reid  
Blumenthal Kirk Rockefeller  
Boxer Klobuchar Sanders  
Brown (MA) Kohl Schumer  
Brown (OH) Landrieu Shaheen  
Cantwell Lautenberg Levin  
Cardin Leahy Stabenow  
Carper Levin Tester  
Casey Lieberman Udall (CO)  
Collins Manchin Udall (NM)  
Conrad McCaskill Warner  
Coons Menendez Webb  
Durbin Merkley Whitehouse  
Feinstein Mikulski Whitehouse  
Franken Murkowski Wyden  
Gillibrand Murray

The PRESIDING OFFICER. On this vote, the yeas are 42, the nays are 58. Under the previous order requiring 60 votes for the adoption of the concurrent resolution, the concurrent resolution is rejected. Under the previous order, the motion to reconsider is considered made and laid upon the table.

DEPARTMENT OF DEFENSE AND FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2011

The PRESIDING OFFICER. Under the previous order, the clerk will report H.R. 1473, which was received from the House.

The assistant legislative clerk read as follows:

A bill (H.R. 1473) making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes.

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate, equally divided prior to a vote.

The Senator from Illinois. Mr. DURBIN. Mr. President, I yield back all time on both sides and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered. The PRESIDING OFFICER. If there is no further debate, the question is on the third reading of the bill.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass? The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll. The result was announced—yeas 81, nays 19, as follows:

[Rollcall Vote No. 61 Leg.]

YEAS—81

Akaka Durbin Menendez  
Alexander Enzi Merkley  
Ayotte Feinstein Mikulski  
Barrasso Franken Moran  
Baucus Gillibrand Murkowski  
Begich Grassley Murray  
Bennet Hagan Nelson (NE)  
Bingaman Harkin Nelson (FL)  
Blumenthal Hoeven Portman  
Blunt Hutchison Pryor  
Boozman Inouye Reed  
Boxer Isakson Reid  
Brown (MA) Johanns Roberts  
Brown (OH) Johnson (SD) Rockefeller  
Burr Kerry Schumer  
Cantwell Kirk Sessions  
Cardin Klobuchar Shaheen  
Carper Kohl Snowe  
Casey Kyl Stabenow  
Chambliss Landrieu Tester  
Coats Lautenberg Thune  
Cochran Lieberman Udall (CO)  
Collins Lugar Udall (NM)  
Conrad Manchin Warner  
Coons McCain Webb  
Corker McCaskill Whitehouse  
Cornyn McConnell Wicker

NAYS—19

Coburn Johnson (WI) Sanders  
Crapo Leahy Shelby  
DeMint Lee Toomey  
Ensign Levin Vitter  
Graham Paul Wyden  
Hatch Risch  
Inhofe Rubio

The PRESIDING OFFICER. On this vote the yeas are 81, the nays are 19. Under the previous order requiring 60 votes for passage, the bill is passed.

The bill (H.R. 1473) was passed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table.

Under the previous order, the Secretary will immediately notify the House of the Senate's action on the House measures.

The majority leader.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business for debate only until 7 p.m. tonight, with Senators permitted to speak for up to 10 minutes each; further, that the majority leader be recognized at 7 p.m.

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

The Senator from South Carolina.

PORT OF CHARLESTON

Mr. GRAHAM. I ask unanimous consent to enter into a colloquy with my good friend, the majority leader.

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

Mr. GRAHAM. Mr. President, a lot of Members now understand the problem we have with the port of Charleston in 2011. There is no money in the President's budget to do a scoping study. Under the new rules concerning earmarking, it has been very difficult to find a way forward. With the help of the majority leader and his staff and the people on Appropriations—the staffs of Senators FEINSTEIN and LAMAR ALEXANDER—we came up with

language that would allow 12 different ports to have studies completed in fiscal year 2011, if the Corps chose to engage in those studies. It was not a requirement, and it had no sums required in terms of what the Corps had to spend. It was purely discretionary. Unfortunately, our House colleagues did not accept that language.

My problem is that in fiscal year 2011, there is no mechanism as of yet to allow a scoping study to be done for the potential deepening of the Charleston harbor to accept supercargo ships coming through the Panama Canal in 2014. This harbor, along with others, has to be deepened to accept these new ships. The amount of money is \$40,000 on the Federal side to be matched by the State. People ask me: Why can't you come up with the money? Boeing, BMW, Michelin, the State of South Carolina?

I would do the \$40,000, but I can't. You cannot have a private entity take over a Federal Government responsibility. So this is one of those situations that is a catch-22. It is an anomaly in the law. The Vice President's office and Congressman CLYBURN, a lot of us, Congressman SCOTT, have been working diligently, with the assistance of the majority leader, to find a pathway forward within the current system. We are very close to finding a way to get this study done because it was a previously authorized program under current law.

I have put a hold on everything I could put a hold on.

Now I believe we are making progress. The majority leader has some needs, and I want to let him know I am willing to work with him and others to end the Senate well before we go out on Easter break. I thank him for the help he has given me to take care of a problem that no one could have anticipated. But it is a real problem for the people of South Carolina. I wish to let him know I appreciate the effort.

The PRESIDING OFFICER (Mr. BEGICH). The majority leader.

Mr. REID. Mr. President, I say to my friend the distinguished Senator from South Carolina, I am aware of the 12 ports that need help. But out of the 12, there is none more needed—and we as a country would get such a bang for our buck—to do what is necessary than the port of Charleston. I first compliment the Senator from South Carolina for his proposed solution to a challenge facing the State. He is dogged in representing the State of South Carolina. This is an issue that is important to the people of his State. His solution would not in any way violate any of the rules we have in the Senate. It is something that would not be part of congressionally directed spending in the true sense of the word that has been not approved by people in recent years. I have been part of the Appropriations Committee since I first came to the Senate.

I love that committee. I know the good things it can do for our country

and has done for our country. This merit-based competitive port fund that has been suggested would not be limited to South Carolina, even though I think it is the most needy of the 12. This would not guarantee that the port study in Charleston would go forward but would provide the Corps the opportunity to move forward should they choose.

Mr. President, I not only have been a member of the Appropriations Committee, but for a long, long time—a long time—the Senator from New Mexico, Mr. Domenici, and I—that was our subcommittee, Energy and Water, and that is where this money comes from.

This is so necessary to be done. I understand the Corps' obligations. This is something we have to do. And even though my friend acknowledged this vote we just took care of the funding until the end of this year—but that is the end of this fiscal year. There are going to be other pieces of legislation to come to this floor. We could, at any time—any time—move forward on this. I thought we had a solution because of the anomaly we found ourselves in to work this out with the House of Representatives.

It is not often that I am a cheerleader for pieces of legislation that are suggested and moved forward by Republicans, but I was on this one. This is something that is merit-based and is fair. I am going to continue to do everything I can for my friend from South Carolina to see if before the end of this fiscal year we can get something done. It is important to him. It is important to our country because of the value that port has to our country.

Mr. GRAHAM. I thank the majority leader very much. It is appreciated on behalf of all of us in South Carolina. And I look forward to finding a solution for the country as a whole.

The PRESIDING OFFICER. The Senator from Rhode Island.

#### HONORING OUR ARMED FORCES

##### SPECIALIST DENNIS "DANNY" POULIN

Mr. REED. Mr. President, I rise today to pay tribute to SPC Dennis "Danny" Poulin, a Rhode Islander who served in the Massachusetts National Guard.

On March 28, Specialist Poulin was a gunner in an MRAP when it rolled over in Kunar Province, Afghanistan. He was medically evacuated to Landstuhl Regional Medical Center in Germany, where, tragically, he died 2 days later but surrounded by his loving family. He was laid to rest today in Rhode Island.

Specialist Poulin grew up in Pawtucket, RI, and graduated in 2004 from Tolman High School. He joined the National Guard in 2008 and was promoted to specialist in May of 2010. As a member of the Massachusetts National Guard Headquarters Company, 1st Battalion, 181st Infantry Regiment, he deployed to Afghanistan in July 2010.

Each generation of Americans is called upon to protect and sustain our

democracy. And there are no greater heroes than the men and women who have worn the uniform of this Nation and who have sacrificed for this country to keep it safe and to keep it free.

It is our duty to protect the freedom they sacrificed their lives for through our service, our citizenship. We must continue to keep their memories alive and honor their heroism.

Today, our thoughts are with Specialist Poulin's mother Doris, his father Richard, his sisters, Jennifer and Angelique, his longtime girlfriend Ashley and their son Nikolous, and all of his family, friends, and his comrades-in-arms. We join them in commemorating his sacrifice and honoring his example of selfless service, of love, and of courage that he has demonstrated to all of us.

Specialist Poulin is one among many Rhode Islanders who have proven their loyalty, their integrity, and their personal courage by giving the last full measure of their lives in service to their country in Afghanistan, in Iraq, and throughout the centuries. Today, we honor his memory and honor the memory of those who have served and those who have sacrificed.

Mr. President, with that, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I am honored to join my senior Senator from Rhode Island, JACK REED, today on the floor of the U.S. Senate to honor the brave service of SPC Dennis C. Poulin, who died of injuries sustained while serving his country in Afghanistan.

Specialist Poulin, or "Danny," as he was known, had been assigned to the Kunar Provincial Reconstruction Team in Afghanistan. I have visited on several occasions the Kandahar Provincial Reconstruction Team, and I am well aware of the demands that are put on the security teams who allow the provincial reconstruction offices to do their vital work.

Danny's vehicle overturned while he was conducting a mounted combat patrol, causing severe injuries. Sadly, as a result of those injuries, he passed away on March 31, 2011, at Landstuhl Medical Center surrounded by his family.

Danny was born in Pawtucket, RI, where he lived for most of his life. After graduating from Tolman High School, he joined the Army National Guard and served with the Massachusetts National Guard's Alpha Company, 1st Battalion, 181st Infantry Regiment.

Specialist Poulin served with honor and distinction, receiving numerous awards and decorations, including the Army Commendation Medal, the Army Achievement Medal, the Good Conduct Medal, the Meritorious Unit Commendation Medal, the National Defense Service Medal, the Afghanistan Campaign Medal, the Global War on Terrorism Service Medal, the Army Service Ribbon, the Overseas Service Ribbon, the NATO Medal, and the Combat