

The preamble, as amended, was agreed to.

The resolution, with its preamble, as amended, was agreed to.

S. RES. 158

Whereas charter schools deliver high-quality public education and challenge all students to reach their potential;

Whereas charter schools promote innovation and excellence in public education;

Whereas charter schools provide thousands of families with diverse and innovative educational options for their children;

Whereas charter schools are public schools authorized by a designated public entity that—

(1) respond to the needs of communities, families, and students in the United States; and

(2) promote the principles of quality, accountability, choice, and innovation;

Whereas in exchange for flexibility and autonomy, charter schools are held accountable by their sponsors for improving student achievement and for the financial and other operations of the charter schools;

Whereas 40 States, the District of Columbia, and Guam have passed laws authorizing charter schools;

Whereas in 2011, close to 5,000 charter schools are serving more than 1,600,000 children;

Whereas in the past 17 fiscal years, Congress has provided a total of more than \$2,600,000,000 in financial assistance to the charter school movement through grants for planning, program design, initial implementation, replication, expansion, dissemination, evaluation, and facilities;

Whereas numerous charter schools improve the achievements of students and stimulate improvement in traditional public schools;

Whereas charter schools are required to meet the student achievement accountability requirements under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) in the same manner as traditional public schools;

Whereas charter schools often set higher and additional individual goals than the requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) to ensure that charter schools are of high quality and truly accountable to the public;

Whereas charter schools—

(1) give parents the freedom to choose public schools;

(2) routinely measure parental satisfaction levels; and

(3) must prove their ongoing success to parents, policymakers, and the communities served by the charter schools;

Whereas more than 50 percent of charter schools report having a waiting list, and the total number of students on all such waiting lists is enough to fill more than 1,100 average-sized charter schools;

Whereas the 12th annual National Charter Schools Week is scheduled to be held May 1, through May 7, 2011: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the students, parents, teachers, and administrators of charter schools across the United States for—

(A) ongoing contributions to education;

(B) the impressive strides made in closing the persistent academic achievement gap in the United States; and

(C) improving and strengthening the public school system in the United States;

(2) supports the ideals and goals of the 12th annual National Charter Schools Week, a week-long celebration to be held May 1 through May 7, 2011, in communities throughout the United States; and

(3) encourages the people of the United States to hold appropriate programs, cere-

monies, and activities during National Charter Schools Week to demonstrate support for charter schools.

RESOLUTIONS SUBMITTED TODAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed en bloc to the following resolutions which were submitted earlier today: S. Res. 166, 167, 168, and 169.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

S. RES. 168

Mr. LEAHY. Mr. President, I am pleased the Senate has once again passed a resolution commemorating our Nation's law enforcement officers and National Peace Officers Memorial Day. The Senate's official recognition of National Peace Officers Memorial Day is a tradition I am proud to support each year.

In 2010, 158 law enforcement officers died while serving in the line of duty. We honor their memory. Each year, we commemorate the bravery of the many law enforcement officers and peace officers who deserve our thanks and support. National Peace Officers Memorial Day is an opportunity to recommit ourselves to provide them with the tools they need to stay safe and to do their jobs as effectively as they can.

There are more than 900,000 men and women at work protecting our communities, our schools, and our children. They investigate and apprehend the most violent criminals and strive to keep our communities safe and secure. Since the first recorded police death in 1792, the names of 18,983 law enforcement officers who have made the ultimate sacrifice have been added to the National Law Enforcement Officers Memorial.

National Peace Officers Memorial Day provides the people of the United States, in their communities, in their State capitals, and in the Nation's Capital, with the opportunity to honor and reflect on the extraordinary service and sacrifice year after year by those members of our police forces. More than 20,000 peace officers are expected to gather in Washington in the days leading up to May 15 to join with the families of their fallen comrades. It is right that the Senate show its respect on this occasion, and I am proud to honor their service and their memory.

S. RES. 169

Mr. REID. Mr. President, this resolution concerns a request for testimony and documents in an action before the Merit Systems Protection Board brought by the Social Security Administration against an administrative law judge in SSA. Among the matters for which SSA has brought this action against the administrative law judge is conduct by that administrative judge during a visit with staff in the office of Senator LANDRIEU in April 2009.

Counsel for the administrative law judge against whom the action is brought has subpoenaed for deposition

two employees of Senator LANDRIEU's office and also sought by subpoena the production of documents from Senator LANDRIEU's office.

Senator LANDRIEU would like to cooperate and make the employees available for depositions. Accordingly, this resolution would authorize Sherae Hunter and Wes Kungel, the subpoenaed employees in Senator LANDRIEU's office, to testify at depositions in this matter. The resolution would also authorize production of relevant documents sought by subpoena, except where a privilege should be asserted, and would authorize representation by the Senate Legal Counsel of the two subpoenaed employees.

Mr. REID. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table en bloc, that there be no intervening action or debate, and any statements related to these matters be printed in the RECORD.

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

The resolutions were agreed to.

The preambles were agreed to.

The resolutions, with their preambles, read as follows:

S. RES. 166

(Commemorating May 8, 2011, as the 66th anniversary of V-E Day, the end of World War II in Europe)

Whereas on December 11, 1941, 4 days after the Japanese attack on Pearl Harbor, Germany and Italy declared war on the United States;

Whereas on November 8, 1942, United States and Allied forces began Operation Torch, the invasion of North Africa;

Whereas German and other Axis forces in North Africa surrendered on May 13, 1943;

Whereas in July of 1943, United States and Allied forces landed in Sicily;

Whereas on September 8, 1943, Italy surrendered to United States and Allied forces, although German troops in Italy continued to fight until May of 1945;

Whereas more than 150,000 Allied soldiers landed in France on June 6, 1944, known thereafter as "D-Day";

Whereas on August 25, 1944, United States and Allied forces liberated Paris;

Whereas from mid- to late- December, during the Battle of the Bulge, United States troops heroically resisted a major German offensive in Belgium and France;

Whereas United States troops crossed the Rhine River at Remagen on March 7, 1945;

Whereas Germany surrendered unconditionally to the Western Allies at Reims on May 7, 1945, and to the Soviet Union on May 9, 1945, in Berlin;

Whereas during World War II, an estimated 292,000 members of the United States Armed Forces were killed in action and more than 400,000 members of the United States Armed Forces died; and

Whereas United States President Harry S. Truman declared May 8, 1945, "V-E day", the end of World War II in Europe, although war with Japan continued until August 14, 1945: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the historic contribution made by United States veterans of World War II to human liberty and the safety of the United States and its allies;

(2) honors veterans who served in the European Theatre of Operations and elsewhere during World War II;

(3) remembers with gratitude the members of the United States Armed Forces who made the ultimate sacrifice during World War II; and

(4) commemorates May 8, 2011, as the 66th anniversary of V-E Day, the end of World War II in Europe.

S. RES. 167

(Recognizing the historical significance of the Mexican holiday of Cinco de Mayo)

Whereas May 5, or “Cinco de Mayo” in Spanish, is celebrated each year as a date of great importance by the Mexican and Mexican-American communities;

Whereas the Cinco de Mayo holiday commemorates May 5, 1862, the date on which the Battle of Puebla was fought by Mexicans who were struggling for their independence and freedom;

Whereas Cinco de Mayo has become one of the most famous Mexican national holidays and is celebrated annually by nearly all Mexicans and Mexican-Americans, north and south of the United States-Mexico border;

Whereas the Battle of Puebla was but one of the many battles that the courageous Mexican people won in their long and brave struggle for independence and freedom;

Whereas the French, confident that their battle-seasoned troops were far superior to the almost amateurish Mexican forces, expected little or no opposition from the Mexican army;

Whereas the French army, which had not experienced defeat against any of the finest troops of Europe in more than half a century, sustained a disastrous loss at the hands of an outnumbered, ill-equipped, and ragged, but highly spirited and courageous, Mexican force;

Whereas after three bloody assaults on Puebla in which more than a thousand gallant Frenchmen lost their lives, the French troops were finally defeated and driven back by the outnumbered Mexican troops;

Whereas the courageous and heroic spirit that Mexican General Zaragoza and his men displayed during that historic battle can never be forgotten;

Whereas many brave Mexicans willingly gave their lives for the causes of justice and freedom in the Battle of Puebla on Cinco de Mayo;

Whereas the sacrifice of the Mexican fighters was instrumental in keeping Mexico from falling under European domination;

Whereas Cinco de Mayo serves as a reminder that the foundation of the United States is built by people from many nations and diverse cultures who are willing to fight and die for freedom;

Whereas Cinco de Mayo also serves as a reminder of the close ties between the people of Mexico and the people of the United States;

Whereas in a larger sense, Cinco de Mayo symbolizes the right of a free people to self-determination, just as Benito Juarez once said, “El respeto al derecho ajeno es la paz” (“The respect of other people’s rights is peace”); and

Whereas many people celebrate during the entire week in which Cinco de Mayo falls: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the historical struggle for independence and freedom of the people of Mexico; and

(2) calls upon the people of the United States to observe Cinco de Mayo with appropriate ceremonies and activities.

S. RES. 168

(Commemorating and acknowledging the dedication and sacrifice made by the Federal, State, and local law enforcement officers who have been killed or injured in the line of duty)

Whereas the well-being of all citizens of the United States is preserved and enhanced as a direct result of the vigilance and dedication of law enforcement personnel;

Whereas more than 900,000 men and women, at great risk to their personal safety, presently serve their fellow citizens as guardians of the peace;

Whereas peace officers are on the front lines in protecting the schools and schoolchildren of the United States;

Whereas in 2010, 158 peace officers across the United States were killed in the line of duty;

Whereas Congress should strongly support initiatives to reduce violent crime and to increase the factors that contribute to the safety of law enforcement officers;

Whereas there are recorded 18,983 Federal, State, and local law enforcement officers who lost their lives in the line of duty while protecting their fellow citizens, and whose names are engraved upon the National Law Enforcement Officers Memorial in Washington, District of Columbia;

Whereas in 1962, President John F. Kennedy designated May 15 as National Peace Officers Memorial Day; and

Whereas on May 15, 2011, more than 20,000 peace officers are expected to gather in Washington, District of Columbia, to join with the families of their recently fallen comrades to honor those comrades and all others who went before them: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates and acknowledges the dedication and sacrifices made by the Federal, State, and local law enforcement officers who have been killed or injured in the line of duty;

(2) recognizes May 15, 2011, as “National Peace Officers Memorial Day”; and

(3) calls on the people of the United States to observe that day with appropriate ceremony, solemnity, appreciation, and respect.

S. RES. 169

(To authorize testimony, documents and legal representation)

Whereas, in the case of *Social Security Administration v. Charlotte N. White*, No. CB-75211-11-0004-T-1, pending before the Merit Systems Protection Board, a subpoena for deposition testimony and document production has been served on Sherae Hunter and a subpoena for deposition testimony has been served on Wes Kungel, both employees in the Office of Senator Mary L. Landrieu;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That Sherae Hunter and Wes Kungel are authorized to testify and produce

documents in *Social Security Administration v. Charlotte N. White*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Sherae Hunter, Wes Kungel, and any other individual in Senator Landrieu’s office in this matter.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to Public Law 100-696, appoints and reappoints the following Senators as members of the United States Capitol Preservation Commission: the Honorable RICHARD J. DURBIN of Illinois (reappointment), and the Honorable BEN NELSON of Nebraska (appointment) vice the Honorable MARY L. LANDRIEU of Louisiana.

MEASURE READ THE FIRST TIME—H.R. 3

Mr. REID. Mr. President, I believe there is a bill at the desk due for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 3) to prohibit taxpayer funded abortions and to provide conscience protections, and for other purposes.

Mr. REID. I ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read a second time on the next legislative day.

ORDERS FOR MONDAY, MAY 9, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, May 9; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to a period of morning business for debate only until 4:30 p.m., with Senators permitted to speak for up to 10 minutes each; that following morning business, the Senate proceed to executive session to consider Executive Calendar No. 62, and there be 1 hour of debate equally divided and controlled in the usual form; that upon the use or yielding back of time, the Senate proceed to vote on the motion to invoke cloture on the nomination.

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

PROGRAM

Mr. REID. Mr. President, my colleague, who is a Member of the House of Representatives, DEAN HELLER, will, on Monday, at 2 o’clock p.m., be sworn in as a Senator representing the State