

tortured—over a period of weeks, or months; and the military does not have to appoint a lawyer for them. Unlawful combatants can be tried at Guantanamo Bay by a military commission—and potentially found in violation of the rules of war—which is what ought to happen in these cases.

But that is not the position of the Department of Justice. The Department has been populated with people who have a different view—I think a wrong view—of it. Although I have great respect for Mr. Verrilli and his record, which seems to be a good one, the fact that he is another voice in the Department for a wrong philosophy is something I will vote against by voting no.

I thank the Chair and yield the floor. The PRESIDING OFFICER. All time has expired.

The question is, shall the Senate advise and consent to the nomination of Donald B. Verrilli, to be Solicitor General of the United States.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Iowa (Mr. HARKIN), the Senator from Massachusetts (Mr. KERRY), the Senator from Wisconsin (Mr. KOHL), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Nebraska (Mr. NELSON), and the Senator from Montana (Mr. TESTER) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN), the Senator from South Carolina (Mr. GRAHAM), the Senator from Texas (Mrs. HUTCHISON), the Senator from North Dakota (Mr. HOEVEN), and the Senator from Mississippi (Mr. WICKER).

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

The result was announced—yeas 72, nays 16, as follows:

[Rollcall Vote No. 85 Ex.]

YEAS—72

Akaka	Cornyn	McCaskill
Alexander	Durbin	McConnell
Ayotte	Enzi	Menendez
Barrasso	Feinstein	Merkley
Baucus	Franken	Mikulski
Begich	Gillibrand	Murkowski
Bennet	Grassley	Murray
Bingaman	Hagan	Nelson (FL)
Blumenthal	Hatch	Portman
Blunt	Inouye	Pryor
Boozman	Johanns	Reed
Brown (MA)	Johnson (SD)	Reid
Brown (OH)	Kirk	Rockefeller
Cantwell	Klobuchar	Sanders
Cardin	Kyl	Schumer
Carper	Lautenberg	Shaheen
Casey	Leahy	Snowe
Coats	Lee	Stabenow
Cochran	Levin	Thune
Collins	Lieberman	Lugar
Conrad	Manchin	Toomey
Coons	McCain	
Corker		

Udall (CO)	Warner	Whitehouse
Udall (NM)	Webb	Wyden

NAYS—16

Burr	Isakson	Rubio
Chambliss	Johnson (WI)	Sessions
Crapo	Moran	Shelby
DeMint	Paul	Vitter
Heller	Risch	
Inhofe	Roberts	

NOT VOTING—12

Boxer	Hoeven	Landrieu
Coburn	Hutchison	Nelson (NE)
Graham	Kerry	Tester
Harkin	Kohl	Wicker

The nomination was confirmed.

• Mr. KERRY. Mr. President, I was necessarily absent for the vote on the motion to invoke cloture on the nomination of Donald B. Verrilli, Jr. to be Solicitor General of the United States. If I were able to attend today's session, I would have supported the motion to invoke cloture.●

The PRESIDING OFFICER. Under the previous order, the President shall be immediately notified of the Senate's action.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate shall resume legislative session.

The majority leader.

#### ECONOMIC DEVELOPMENT REVITALIZATION ACT OF 2011—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to S. 782, Calendar No. 38.

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

The assistant legislative clerk read as follows:

A bill (S. 782) to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

#### CLOTURE MOTION

Mr. REID. I have a cloture motion at the desk. I ask it be reported.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 38, S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that act, and for other purposes:

HARRY REID, BARBARA BOXER, KENT CONRAD, JOHN F. KERRY, SHELDON WHITEHOUSE, AMY KLOBUCHAR, BENJAMIN L. CARDIN, JEFF BINGAMAN, JEFF MERKLEY, PATTY MURRAY, ROBERT MENENDEZ, JEANNE SHAHEEN, BERNARD SANDERS, FRANK R. LAUTENBERG, JACK REED, RICHARD J. DURBIN, DANIEL K. AKAKA.

Mr. REID. I ask unanimous consent the mandatory quorum under rule XXII be waived.

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

#### MORNING BUSINESS

#### 30TH ANNIVERSARY OF HIV/AIDS IN THE U.S.

Mr. DURBIN. Mr. President, yesterday marked the 30th anniversary of HIV/AIDS in the United States. Thirty years ago, on June 5, 1981, the Centers for Disease Control and Prevention, CDC, published the first scientific report about five previously healthy men with what is now known as human immunodeficiency syndrome, HIV, and acquired immune deficiency syndrome, AIDS. Since that report, the face of HIV/AIDS has changed into a global epidemic with over 33.3 million people living with HIV. In the United States, over 1.1 million people are living with HIV and almost 600,000 people have died from the disease.

For three decades this preventable disease has devastated families and communities. But there has also been a global response from the research community, government, health workers, and patient advocates to fight this disease and save lives. This battle has yielded notable victories. In the U.S., prevention has saved over 350,000 lives and new infections have decreased by more than two-thirds since the height of the epidemic. Advancements have been made in HIV testing, which is at an all time high with 11.4 million more people being tested in 2009 compared to 2006. Biomedical innovations have created powerful drugs that can transform AIDS from a death sentence into a chronic disease.

The advancement in HIV/AIDS treatment is embodied in the experience of Keith Green. In 1994, when Keith was 17 years old and still a senior in high school on Chicago's South side, he was diagnosed with HIV and given 10 years to live. Keith's prognosis dimmed his hope of a future and he lived day to day ignoring the disease and forgoing medication and treatment. When Keith was hospitalized at the age of 25, seriously ill, and 50 pounds underweight, he assumed his 10 years had come a little early. Fortunately, during his hospitalization, Keith learned about HIV treatment options and started to envision a future for himself. Today, with the help of medication and community support, Keith is a leader in the fight against HIV/AIDS.

Keith's story illustrates that progress has certainly been made, but the U.S. must continue to be a leader in the fight against HIV/AIDS. In the United States over 1.1 million people have HIV, but one in five of these people do not know they are infected. Each year 56,300 Americans become infected with HIV. Most of these new infections are among people under the age of 30—young people who have never known a time without effective HIV treatment and who may not fully understand the health threat of HIV.

The burden of HIV/AIDS continues to be disproportionately borne by gay and bisexual men and African Americans

and Latinos. While Black Americans represent 12 percent of the U.S. population, they account for almost half of people living with HIV and half of new infections each year. We can win the fight against HIV/AIDS, but our national strategy must focus on eliminating these disparities.

The U.S. has been at the frontline combating the AIDS pandemic. We have established aggressive and effective programs, notably the Ryan White HIV/AIDS Program and the Tom Lantos and Henry J. Hyde U.S. Global Leadership against HIV/AIDS, Tuberculosis and Malaria Act, known more commonly as PEPFAR. This year, as part of the National HIV/AIDS Strategy the CDC started implementing a 12 city demonstration project to enhance HIV prevention and reduce disparities. In my home State, Chicago is among the 12 cities included in the demonstration project. With over 14,000 AIDS cases, Chicago has one of the Nation's largest AIDS populations and is an appropriate battleground to enhance HIV/AIDS prevention, treatment, and access to care.

As we enter a fourth decade of the AIDS epidemic, we remember the 25 million people who have been lost to this disease and renew our commitment to fighting the AIDS epidemic, to eliminating stigma against those with this disease, and to stopping the spread of HIV.

I look forward to working with my colleagues to make these goals a reality.

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#### TRIBUTE TO DR. SUSAN STONE

Mr. McCONNELL. Mr. President, I rise today to pay tribute to the astounding achievements of a dedicated Kentuckian. Worthy of recognition for her contributions to the advancement of rural health care, Dr. Susan Stone has devoted much of her life to the practice of nursing and bettering the lives of women, children, and families around the country.

Dr. Stone received her first degree in nursing in 1974 and her bachelor's of science from the State University of New York. She obtained her doctor of nursing from the University of Tennessee Health Science Center, as well as her postmasters in nurse midwifery at the very school she is currently president and dean of, the Frontier School of Midwifery and Family Nursing in Hyden, KY.

Educated in many facets of medicine, Dr. Stone has worked as a nurse and a childbirth educator as well as a certified nurse midwife. Then in 2001 she found a way to make an even greater contribution to Kentuckians' health, as she was named president and dean of the Frontier School. Following in the footsteps of the Frontier School's founder, Mary Breckinridge, Dr. Susan Stone continues to seek to improve health care in Kentucky's rural and underserved areas. Expanding the school over the past 5 years to over

1,000 students from across the world, Dr. Stone has made a major impact on its growth. Expected to become the No. 1 education provider of advanced practice nurses in the future, the Frontier School now provides master's as well as doctoral degrees.

About 75 percent of students enrolled in the Frontier School are from rural counties, furthering Dr. Stone's vision of improving health education and the availability of health assistance around the State. And since her involvement with the school, it has recently received three prestigious rankings in U.S. News and World Report.

For her incredible hard work and devotion to medicine, Dr. Susan Stone was named the National Rural Health Association's Distinguished Educator of the Year 2011. Kentucky is fortunate to have driven, focused women like Dr. Susan Stone, as she continues to educate and aid more students who will take their practice of medicine around the world.

Mr. President, the Leslie County News recently published an article highlighting the life and achievements of Dr. Susan Stone. I ask unanimous consent that the full article be printed in the RECORD.

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

[From the Leslie County News, May 12, 2011]  
FRONTIER SCHOOL'S PRESIDENT AND DEAN, DR. SUSAN STONE, NAMED NRHA'S DISTINGUISHED EDUCATOR OF THE YEAR

With great pride, the Frontier School of Midwifery and Family Nursing announces that Dr. Susan Stone, the school's president and dean, has been named the National Rural Health Association's Distinguished Educator of the Year for 2011. Dr. Stone was honored on May 5 during the 34th Annual Rural Health Conference in Austin, Texas. Dr. Stone's devotion to a career of advancing the education of rural health care providers throughout the United States made her a deserving recipient of this prestigious national award. Dr. Stone, who has led Frontier as its president and dean since 2001, has been instrumental in the growth and success of the Frontier School, a distance-learning graduate school of nursing with a historic campus in Hyden, Kentucky. Today, the school offers nationally rated master's and doctoral degree programs and educates nurses to become nurse-midwives, family nurse practitioners and women's health care nurse practitioners. Enrollment at Frontier has grown from just 200 students in 2006 to a current enrollment of over 1,000 students representing all fifty states and many countries. Stone has maintained a focus on educating nurses who will serve rural and underserved populations which is evidenced by the fact that 75% of students enrolled in 2010 resided in rural counties and/or health professional shortage areas. Thanks to Dr. Stone's commitment and leadership, Frontier graduates are most certainly increasing access to quality healthcare for those that need it most. The school was founded in 1939 by the visionary Mary Breckinridge, who years earlier founded the Frontier Nursing Service in the mountains of southeastern Kentucky to provide healthcare to women, children and families. Frontier is considered the birthplace of nurse-midwifery and family nursing in

America. Dr. Stone's passion for the vision of Mary Breckinridge, who with her nurses traveled on horseback to deliver care and attend births in Appalachia, is evidenced by the school's continued commitment to educate advanced practice nurses to serve in rural and underserved areas. Mary Breckinridge wanted to see her work replicated throughout the nation and world, and Dr. Stone has embraced that vision by educating students from all 50 states and several countries, taking Frontier's philosophy of care across the globe. Like Frontier's founder, Dr. Stone has devoted her career to improving healthcare for women and families. Dr. Stone received her first nursing degree in 1974, later followed by a bachelor's of science in nursing from the State University of New York. Dr. Stone worked as nurse, a certified childbirth educator and later as a certified nurse-midwife in New York, after receiving her post-master's certificate in nurse-midwifery from the Frontier School in 1991. During the '90s, while still practicing, she served on the distance-learning faculty of the Frontier School. Dr. Stone, who earned her Doctor of Nursing Practice degree from the University of Tennessee Health Science Center, has been instrumental in expanding the Frontier School's outreach worldwide, through a unique melding of online learning and real-world clinical experiences. The school recently received three high-profile rankings from US News and World Report: Frontier School of Midwifery and Family Nursing is ranked #13 in Nurse-Midwifery programs, #14 in Nurse Practitioner education programs and #50 in Nursing—among all accredited schools in the country. The work and commitment of Frontier graduates toward meeting rural health care needs could fill an entire book. With Dr. Stone's expert guidance, determination, passion and Frontier school is poised to become the No. 1 education provider of advanced practice nurses to serve rural areas, both domestically and internationally.

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#### TRIBUTE TO ERNEST RAY RUDDER

Mr. McCONNELL. Mr. President, I rise today to pay tribute to a distinguished Kentuckian, a self-described "jack of all trades" who has come through for his family, friends and neighbors time and again. Whether it is as a teacher, a law-enforcement officer, a fireman, a father, a grandfather or a great-grandfather, people know they can always rely on Mr. Ernest Ray Rudder.

Mr. Rudder—or, to those who know him, E.R.—has worn many hats throughout his life. Born in Laurel County, KY, in 1947, E.R. attended Bush School and Berea College, then transferred to Cumberland College where he earned his bachelor of science degree in biology and chemistry. During his college years he also married his childhood sweetheart Judy Hacker, and they have been married now for 44 years.

E.R. began work as a teacher, teaching all subjects, including chemistry and biology, in Clay, Jackson and Laurel Counties. He also worked for many years as a school assistant principal and principal. In 2000, E.R. retired from