

to meet during the session of the Senate on February 16, 2011, at 3 p.m. in Room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Nominations."

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

COMMITTEE ON SMALL BUSINESS AND  
ENTREPRENEURSHIP

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on February 16, 2011.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 16, 2011, at 10 a.m.

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT  
MANAGEMENT, THE FEDERAL WORKPLACE,  
AND THE DISTRICT OF COLUMBIA

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on February 16, 2011, at 2:30 p.m. to conduct a hearing entitled "Improving Federal Employment of People with Disabilities."

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

COMMENDING THE NATIONAL AS-  
SOCIATION FOR THE ADVANCE-  
MENT OF COLORED PEOPLE

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to S. Con. Res. 6.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 6) commending the National Association for the Advancement of Colored People on the occasion of its 102nd anniversary.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. CARDIN. Mr. President, I rise today to discuss this concurrent resolution that honors the National Association for the Advancement of Colored People, NAACP, on the occasion of its 102nd anniversary. I thank Senators GRASSLEY, LEAHY, and others for joining me in submitting this bipartisan resolution and would like to note that this resolution is particularly timely not only because the NAACP just celebrated its 102nd anniversary, but also because we are celebrating Black History Month.

The NAACP was created amidst great adversity. In 1905, a group of African

American civil rights activists came together to discuss prominent issues that they and many others faced in our Nation. Among those discussed issues was disenfranchisement. Despite passage of the 15th amendment to the U.S. Constitution in 1870, African Americans throughout the country were denied their right to one of the fundamental methods of civic engagement: the right to vote. In many circumstances Jim Crow State laws. These discussions were held on the Canadian side of the Niagara Falls because hotels across America remained segregated. On February 12, 1909, the centennial of President Abraham Lincoln's birth, distinguished leaders in the struggle for civil and political liberty, which included W.E.B. DuBois, Ida Wells-Barnett, Henry Moscowitz, Mary White Ovington, Oswald Garrison Villard, and William English Walling, created the National Association for the Advancement of Colored People. It is now the oldest and largest civil rights organization in the United States.

Its national headquarters is located in my home city of Baltimore, MD, and its mission is one that I hold dear; that is, to ensure the political, educational, social, and economic equality of the rights of all persons and to eliminate racial hatred and racial discrimination.

Over the years, the NAACP has advanced its mission of racial equality and has achieved concrete goals to that effect by nonviolent means through sheer moral force and legal persuasion. The NAACP initially focused on ending the use of lynching, bringing equality into the job market, and ensuring voting rights for all. Many of the significant legal victories came under the leadership of Charles Houston and his protégé and fellow Marylander, Thurgood Marshall. Houston is remembered for stating, "[A] lawyer is either a social engineer or a parasite on society."

The duo of Houston and Marshall successfully argued *Murray v. Maryland*, 1936, which resulted in the desegregation of the University of Maryland's Law School and in 1938 *Missouri ex rel. Gaines v. Canada* the Supreme Court ordered the admission of a Black student to the Law School at the University of Missouri. When Thurgood Marshall served as the NAACP's special counsel, the organization continued to fight for equality in cases such as *Smith v. Allwright*, 1944, where Marshall challenged "White primaries," which prevented African Americans from voting in several Southern States. In *Morgan v. Virginia*, 1946, the Supreme Court struck down a State law that enforced segregation on buses and trains that were interstate carriers. In *Shelley v. Kraemer*, 1948, the NAACP won a battle to end the enforcement of racially restrictive housing covenants, which denied access for African Americans to homes in what was considered White neighborhoods.

In 1950, the NAACP provided the legal resources to contest both Texas and Oklahoma laws allowing segregated graduate schools in *Sweatt v. Painter*, 1950, and *McLaurin v. Oklahoma*, 1950. Marshall and the team of lawyers argued and won unanimous decisions in the U.S. Supreme Court, stating the equal protection clause of the 14th amendment required those States to admit African-American students to their respective graduate and professional schools. These court rulings supported and led to the landmark decision in *Brown v. Board of Education*, 1954, which ended racial segregation in our public schools. Marshall went on to become the Nation's first African-American Solicitor General, and then the Nation's first African-American Supreme Court Justice.

Additionally, the NAACP has worked tirelessly to win passage of important legislation that protects the fundamental rights of all Americans. This legislation includes the Civil Rights Act of 1964, the Voting Rights Act of 1965, and the Fair Housing Act. More recently, the NAACP played an integral role in ensuring passage of important contemporary civil rights bills that I was proud to cosponsor, including the Civil Rights Act of 2008, the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act, and the landmark Fair Sentencing Act, which reduced the gross racial disparity inherent in our sentencing laws for crack cocaine.

One of America's greatest strengths is its rich diversity. From Rosa Parks and the Reverend Dr. Martin Luther King Jr. to Marylanders Harriet Tubman, Frederick Douglass and Thurgood Marshall, strong African-American men and women have become role models for our Nation and others around the world who struggle for freedom. During the month of February, we all should take a moment to reflect upon the achievements and sacrifices of the African-American community—achievements that might not have been possible without the hard work and tireless effort of the NAACP. It also is a time to rededicate ourselves to the ideals enshrined in the U.S. Constitution—the ideals of equality, freedom and justice—and making sure they are protected for future generations. Because in the words of the late Senator Ted Kennedy: "Civil rights is the unfinished business of the Nation."

Mr. REID. I ask unanimous consent the concurrent resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid on the table, there be no intervening action or debate, and any statements be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 6) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

## S. CON. RES. 6

Whereas the National Association for the Advancement of Colored People (referred to in this preamble as the "NAACP"), originally known as the National Negro Committee, was founded in New York City on February 12, 1909, the centennial of the date on which President Abraham Lincoln was born, by a multiracial group of activists who met in a national conference to discuss the civil and political rights of African-Americans;

Whereas the NAACP was founded by a distinguished group of leaders in the struggle for civil and political liberty, including Ida Wells-Barnett, W.E.B. DuBois, Henry Moscowitz, Mary White Ovington, Oswald Garrison Villard, and William English Walling;

Whereas the NAACP is the oldest and largest civil rights organization in the United States;

Whereas the NAACP National Headquarters is located in Baltimore, Maryland;

Whereas the mission of the NAACP is to ensure the political, educational, social, and economic equality of rights of all people and to eliminate racial hatred and racial discrimination;

Whereas the NAACP is committed to achieving its goals through nonviolence;

Whereas the NAACP advances its mission through reliance on the press, the petition, the ballot, and the courts;

Whereas the NAACP has been persistent in the use of legal and moral persuasion, even in the face of overt and violent racial hostility;

Whereas the NAACP has used political pressure, marches, demonstrations, and effective lobbying to serve as the voice, as well as the shield, for minorities in the United States;

Whereas after years of fighting segregation in public schools, the NAACP, under the leadership of Special Counsel Thurgood Marshall, won one of its greatest legal victories in the decision issued by the Supreme Court in *Brown v. Board of Education* (347 U.S. 483 (1954));

Whereas in 1955, NAACP member Rosa Parks was arrested and fined for refusing to give up her seat on a segregated bus in Montgomery, Alabama, an act of courage that would serve as the catalyst for the largest grassroots civil rights movement in the history of the United States;

Whereas the NAACP was prominent in lobbying for the passage of—

(1) the Civil Rights Act of 1957 (Public Law 85-315; 71 Stat. 634);

(2) the Civil Rights Act of 1960 (Public Law 86-449; 74 Stat. 86);

(3) the Civil Rights Act of 1964 (Public Law 88-352; 78 Stat. 241);

(4) the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.);

(5) the Fannie Lou Hamer, Rosa Parks, Coretta Scott King, César E. Chávez, Barbara C. Jordan, William C. Velásquez, and Dr. Hector P. Garcia Voting Rights Act Reauthorization and Amendments Act of 2006 (Public Law 109-246; 120 Stat. 577); and

(6) the Fair Housing Act (42 U.S.C. 3601 et seq.);

Whereas in 2005, the NAACP launched the Disaster Relief Fund to help hurricane survivors rebuild their lives in the States of Louisiana, Mississippi, Texas, Florida, and Alabama;

Whereas in the 110th Congress, the NAACP was prominent in lobbying for the passage of H. Res. 826, the resolved clause of which expresses that—

(1) the hanging of nooses is a horrible act when used for the purpose of intimidation;

(2) under certain circumstances, the hanging of nooses can be criminal; and

(3) the hanging of nooses should be investigated thoroughly by Federal authorities, and any criminal violations should be vigorously prosecuted;

Whereas in 2008, the NAACP vigorously supported the passage of the Emmett Till Unsolved Civil Rights Crime Act of 2007 (28 U.S.C. 509 note), a law that puts additional Federal resources into solving the heinous crimes that occurred during the early days of the civil rights struggle that remain unsolved and brings those who perpetrated those crimes to justice;

Whereas the NAACP has helped usher in the new millennium by charting a bold course, beginning with the appointment of the youngest President and Chief Executive Officer in the history of the organization, Benjamin Todd Jealous, and its youngest female Board Chair, Roslyn M. Brock;

Whereas under the leadership of Benjamin Todd Jealous and Roslyn M. Brock, the NAACP has outlined a strategic plan to confront 21st century challenges in the critical areas of health, education, housing, criminal justice, and the environment;

Whereas on July 16, 2009, the NAACP celebrated its centennial anniversary in New York City, highlighting an extraordinary century of "Bold Dreams, Big Victories" with a historic address from the first African-American President of the United States, Barack Obama; and

Whereas as an advocate for sentencing reform, the NAACP applauded the enactment of the Fair Sentencing Act of 2010 (Public Law 111-220; 124 Stat. 2372), a landmark piece of legislation that reduces the quantity of crack cocaine that triggers a mandatory minimum sentence for a Federal conviction of crack cocaine distribution from 100 times that of people convicted of distributing the drug in powdered form to 18 times that sentence: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That Congress—*

(1) recognizes the 102nd anniversary of the historic founding of the National Association for the Advancement of Colored People; and

(2) commends the National Association for the Advancement of Colored People on the occasion of its anniversary for its work to ensure the political, educational, social, and economic equality of all people.

## APPOINTMENTS

The PRESIDING OFFICER. The Chair announces on behalf of the Committee on Finance, pursuant to section 8002 of title 26, U.S. Code, the designation of the following Senators as members of the Joint Committee on Taxation: the Senator from Montana (Mr. BAUCUS), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from North Dakota (Mr. CONRAD), the Senator from Utah (Mr. HATCH), the Senator from Iowa (Mr. GRASSLEY).

ORDERS FOR THURSDAY,  
FEBRUARY 17, 2011

Mr. REID. Mr. President, I ask unanimous consent that at 1:30 p.m. tomorrow Senator COATS be recognized for up to 30 minutes.

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

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow, Thursday, February 17; that following the prayer and pledge,

the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; further, that following any leader remarks, the Senate resume consideration of S. 223, the Federal Aviation Administration authorization bill, that there then be 2 hours of debate prior to a cloture vote on the Inhofe amendment, as modified, with the time equally divided and controlled between the proponents and opponents; finally, the filing deadline for second-degree amendments to S. 233 be 10 a.m. tomorrow morning.

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

## PROGRAM

Mr. REID. Mr. President, Senators should expect the first vote of the day tomorrow to begin about 11:30, with additional votes occurring throughout the day in an effort to complete action on the FAA bill.

As I announced here a couple of hours ago, we can complete this FAA bill tomorrow. If not, we are going to have to work into the next day. We have two cloture votes that are set up and we are going to finish this bill before we leave. That could mean some extended time. Everyone knows that. Everyone has been alerted to that. There is no reason that we do that. All the issues have been laid before us. We know the votes we have. If people want to cooperate and finish this important piece of legislation, we can do that. If they do not, then they can sit around with the rest of us.

We will not accomplish anything by not finishing the bill tomorrow except use up a lot of time. I know next week is the President's Day recess. As I have said on a number of occasions, this is not a time that we go back to our States and hang around the swimming pool or take steam baths. The fact is, we go home to meet with constituents. We need to be home during the week so we can go to places of business, meet with government officials who are not working during the weekends.

I hope everyone will work toward that goal. If not, our first obligation is to complete legislation and we may have to be here longer than just tomorrow.

ADJOURNMENT UNTIL 9:30 A.M.  
TOMORROW

Mr. REID. Mr. President, I ask unanimous consent we adjourn under the previous order.

There being no objection, the Senate, at 6:26 p.m., adjourned until Thursday, February 17, 2011, at 9:30 a.m.

## NOMINATIONS

Executive nominations received by the Senate:

## THE JUDICIARY

TIMOTHY M. CAIN, OF SOUTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH CAROLINA, VICE P. MICHAEL DUFFY, RETIRED.