

S. RES. 86

Whereas auctions have played an important role in the sale and exchange of goods for nearly 2,000 years;

Whereas auctions have been an integral part of the marketplace in the United States and around the world;

Whereas auctioneers sold nearly \$268,400,000,000 in goods and assets in 2008;

Whereas the National Auctioneers Association has 5,000 members and has its headquarters in Overland Park, Kansas;

Whereas, in 2008, members of the National Auctioneers Association raised \$16,000,000,000 for charity through benefit auctions;

Whereas auctions are growing in popularity and are used with increasing frequency in the marketplace;

Whereas, through competitive bidding, auctions demonstrate how the free enterprise system establishes fair market value;

Whereas trained professional auctioneers ensure that auctions are conducted in a manner that is fair to both buyers and sellers;

Whereas, in the past, Federal, State, and local governments have designated days and weeks to celebrate auctioneers; and

Whereas the designation by the Senate of April 18, 2009, as "National Auctioneers Day" will heighten awareness of the contributions made by auctions and auctioneers to the economy, culture, and way of life of the people of the United States: Now, therefore, be it

Resolved, That the Senate designates April 18, 2009, as "National Auctioneers Day".

SENATE RESOLUTION 87—EX-PRESSING THE SENSE OF THE SENATE THAT PUBLIC SERVANTS SHOULD BE COMMENDED FOR THEIR DEDICATION AND CONTINUED SERVICE TO THE NATION DURING PUBLIC SERVICE RECOGNITION WEEK, MAY 4 THROUGH 10, 2009

Mr. AKAKA (for himself, Mr. VOINOVICH, Mr. LIEBERMAN, Ms. COLLINS, Mr. LEVIN, and Mr. CARPER) submitted the following resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. RES. 87

Whereas Public Service Recognition Week provides an opportunity to recognize and promote the important contributions of public servants and honor the diverse men and women who meet the needs of the Nation through work at all levels of government;

Whereas millions of individuals work in government service in every city, county, and State across America and in hundreds of cities abroad;

Whereas public service is a noble calling involving a variety of challenging and rewarding professions;

Whereas Federal, State, and local governments are responsive, innovative, and effective because of the outstanding work of public servants;

Whereas the United States of America is a great and prosperous Nation, and public service employees contribute significantly to that greatness and prosperity;

Whereas the Nation benefits daily from the knowledge and skills of these highly trained individuals;

Whereas public servants—

- (1) defend our freedom and advance United States interests around the world;
- (2) provide vital strategic support functions to our military and serve in the National Guard and Reserves;

- (3) fight crime and fires;
- (4) ensure equal access to secure, efficient, and affordable mail service;
- (5) deliver social security and medicare benefits;
- (6) fight disease and promote better health;
- (7) protect the environment and the Nation's parks;
- (8) enforce laws guaranteeing equal employment opportunity and healthy working conditions;
- (9) defend and secure critical infrastructure;
- (10) help the Nation recover from natural disasters and terrorist attacks;
- (11) teach and work in our schools and libraries;
- (12) develop new technologies and explore the earth, moon, and space to help improve our understanding of how our world changes;
- (13) improve and secure our transportation systems;
- (14) promote economic growth; and
- (15) assist active duty service members and veterans;

Whereas members of the uniformed services and civilian employees at all levels of government make significant contributions to the general welfare of the United States, and are on the front lines in the fight against terrorism and in maintaining homeland security;

Whereas public servants work in a professional manner to build relationships with other countries and cultures in order to better represent America's interests and promote American ideals;

Whereas public servants alert Congress and the public to government waste, fraud, abuse, and dangers to public health;

Whereas the men and women serving in the Armed Forces of the United States, as well as those skilled trade and craft Federal employees who provide support to their efforts, are committed to doing their jobs regardless of the circumstances, and contribute greatly to the security of the Nation and the world;

Whereas public servants have bravely fought in armed conflict in defense of this Nation and its ideals and deserve the care and benefits they have earned through their honorable service;

Whereas government workers have much to offer, as demonstrated by their expertise and innovative ideas, and serve as examples by passing on institutional knowledge to train the next generation of public servants;

Whereas May 4 through 10, 2009, has been designated Public Service Recognition Week to honor America's Federal, State, and local government employees; and

Whereas Public Service Recognition Week is celebrating its 25th anniversary through job fairs, student activities, and agency exhibits: Now, therefore, be it

Resolved, That the Senate—

- (1) commends public servants for their outstanding contributions to this great Nation during Public Service Recognition Week and throughout the year;
- (2) salutes government employees for their unyielding dedication and spirit for public service;
- (3) honors those government employees who have given their lives in service to their country;
- (4) calls upon all generations to consider a career in public service; and
- (5) encourages efforts to promote public service careers at all levels of government.

Mr. AKAKA. Mr. President, today I rise to recognize America's public servants, who provide the essential services upon which this nation relies. As the chairman of the Senate Homeland Security and Governmental Affairs Subcommittee on Oversight of Government

Management, the Federal Workforce, and the District of Columbia, I am honored to introduce a resolution paying tribute to these employees in celebration of Public Service Recognition Week.

This is the 25th anniversary of Public Service Recognition Week, which always takes place the first full week of May. It is a time set aside each year to honor the men and women who serve America as Federal, State, and local government employees, and commend their dedication to serving others.

The contributions of hardworking, talented government employees maintain our quality of life. They protect our borders from drug and weapon trafficking; conduct research to prevent future epidemics; and bring hope to those who live in poverty. Public servants teach our children; protect our homes and communities; secure our public water systems and critical infrastructure; preserve our natural resources; and defend the principles of liberty and freedom that we hold dear.

The men and women who serve in the armed forces, and the civilian employees who support their missions, are prime examples of public service. They embody the spirit of service, characterized by a willingness to defend this nation. Despite the many hardships of serving through long conflicts, these men and women serve with bravery and unwavering devotion. They have sacrificed their lives so that we might continue to be free.

President Obama has called for action to "encourage a renewed spirit of national service for this and future generations." While Public Service Recognition Week provides the opportunity to honor and celebrate the works of federal employees, it also serves as an opportunity for all Americans to explore the various careers in public service. Through job fairs, agency sponsored events, and special exhibits, Public Service Recognition Week allows the American public to gain a deeper appreciation of the challenging and rewarding work available in the government. It is my hope that through these sponsored events, many young professionals will decide to embrace a career as a public servant.

I encourage my colleagues to recognize the hard work and the services provided by government employees in their states and join in this annual celebration.

SENATE RESOLUTION 88—HONORING THE LIFE OF DR. JOHN HOPE FRANKLIN

Mrs. HAGAN (for herself, Mr. BURR, Mr. KENNEDY, and Mr. SCHUMER) submitted the following resolution; which was considered and agreed to:

S. RES. 88

Whereas Dr. John Hope Franklin was born on January 2, 1915 in Rentiesville, Oklahoma, the grandson of a slave and the son of Buck Colbert Franklin, one of the first African-American lawyers in the Oklahoma Indian Territory, and Mollie Parker Franklin, a schoolteacher and community leader;

Whereas in 1936, Dr. Franklin was appointed to the faculty of Fisk University as instructor of history and subsequently served as professor of history at St. Augustine's College, North Carolina College, and Howard University;

Whereas Dr. Franklin taught at the University of Chicago from 1964 to 1982, serving as professor of American history, chairperson of the department of history, John Matthews Manly Distinguished Service Professor, and professor emeritus of history;

Whereas Dr. Franklin was on faculty at Duke University from 1982 until his passing, serving as the James B. Duke Professor of History, professor of legal history at Duke University Law School, and the James B. Duke Professor of History Emeritus, Duke University;

Whereas Dr. Franklin broke numerous racial barriers, serving as the first African-American department chair at a predominantly white institution as chairman of the department of history at Brooklyn College from 1956 to 1964, as the first African-American professor to hold an endowed chair at Duke University, and as the first African-American president of the American Historical Association;

Whereas Dr. Franklin authored "From Slavery to Freedom: A History of Negro Americans" in 1947, widely considered the preeminent history of the African-American experience in the United States, as well as numerous other notable books including his influential autobiography "Mirror to America: The Autobiography of John Hope Franklin";

Whereas the research of Dr. Franklin contributed to the success of Thurgood Marshall and the legal victory of the National Association for the Advancement of Colored People (NAACP) in the landmark Supreme Court case, *Brown v. Board of Education* (347 U.S. 483), which ended the "separate but equal" doctrine in public schools in the United States;

Whereas in 1996, Dr. Franklin was named "Historian of the Century" by Duke University, North Carolina State University, North Carolina Central University, and the University of North Carolina at Chapel Hill;

Whereas Dr. Franklin received the Presidential Medal of Freedom in 1995, and was appointed chairman of the advisory board of President William J. Clinton's Initiative on Race in 1997;

Whereas Dr. Franklin served as the head of the 3 major historical associations in the United States: the Organization of American Historians, the American Historical Association, and the Southern Historical Association;

Whereas Dr. Franklin was inducted into the North Carolina Literary Hall of Fame in 1998;

Whereas Dr. Franklin received the Benjamin Franklin Medal for Distinguished Public Service from the American Philosophical Society in 2007, and a Gold Medal for distinguished achievement in history from the American Academy of Arts and Letters in 2002;

Whereas Dr. Franklin inspired the John Hope Franklin Center for Interdisciplinary and International Studies at Duke University, a consortium of academic programs that encourages creative scholarship, the exchange of ideas, and a variety of perspectives and methodologies to revitalize notions of how knowledge is gained and shared;

Whereas Dr. Franklin was a scholar who helped create the field of African-American history and literature;

Whereas Dr. Franklin described historians as "the conscience of the nation, if honesty and consistency are factors that nurture the conscience", and his contributions to the

study of American history fundamentally challenged and changed the manner in which the Nation collectively interprets its past and understands its present;

Whereas generations of young historians have been inspired and personally influenced by Dr. Franklin's keen intellect, graceful humility, and humor in the classroom, and will ensure the endurance of his towering legacy;

Whereas Dr. Franklin passed away on March 25, 2009 in Durham, North Carolina; and

Whereas Dr. John Hope Franklin will be deeply missed but leaves an enduring legacy of public service, scholarship, and perseverance that inspires all Americans: Now, therefore, be it

Resolved, That the Senate—

(1) celebrates the life and accomplishments of John Hope Franklin; and

(2) honors the contributions that John Hope Franklin made to United States society.

AMENDMENTS SUBMITTED AND PROPOSED

SA 721. Mr. BAUCUS submitted an amendment intended to be proposed to amendment SA 687 proposed by Ms. MIKULSKI (for herself and Mr. ISAKSON) to the bill H.R. 1388, entitled "The Edward M. Kennedy Serve America Act, an Act to reauthorize and reform the national service laws."

SA 722. Mr. BURR proposed an amendment to amendment SA 687 proposed by Ms. MIKULSKI (for herself and Mr. ISAKSON) to the bill H.R. 1388, *supra*.

SA 723. Mr. FEINGOLD (for himself and Mr. VOINOVICH) submitted an amendment intended to be proposed by him to the bill H.R. 1388, *supra*; which was ordered to lie on the table.

SA 724. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 1388, *supra*; which was ordered to lie on the table.

SA 725. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill H.R. 1388, *supra*; which was ordered to lie on the table.

SA 726. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 687 proposed by Ms. MIKULSKI (for herself and Mr. ISAKSON) to the bill H.R. 1388, *supra*; which was ordered to lie on the table.

SA 727. Mr. BURR (for himself and Ms. MIKULSKI) proposed an amendment to amendment SA 687 proposed by Ms. MIKULSKI (for herself and Mr. ISAKSON) to the bill H.R. 1388, *supra*.

SA 728. Ms. MIKULSKI (for herself and Mr. ENZI) submitted an amendment intended to be proposed to amendment SA 687 proposed by Ms. MIKULSKI (for herself and Mr. ISAKSON) to the bill H.R. 1388, *supra*.

SA 729. Mr. HATCH proposed an amendment to the bill H.R. 1388, *supra*.

TEXT OF AMENDMENTS

SA 721. Mr. BAUCUS submitted an amendment intended to be proposed to amendment SA 687 proposed by Ms. MIKULSKI (for herself and Mr. ISAKSON) to the bill H.R. 1388, entitled "The Edward M. Kennedy Serve America Act, an Act to reauthorize and reform the national service laws."; as follows:

At the appropriate place, insert the following:

SEC. —. SENSE OF THE SENATE.

(a) FINDINGS.—The Senate finds the following:

(1) President John F. Kennedy said, "The raising of extraordinarily large sums of money, given voluntarily and freely by millions of our fellow Americans, is a unique American tradition . . . Philanthropy, charity, giving voluntarily and freely . . . call it what you like, but it is truly a jewel of an American tradition".

(2) Americans gave more than \$300,000,000,000 to charitable causes in 2007, an amount equal to roughly 2 percent of the gross domestic product.

(3) The vast majority of those donations, roughly 75 percent or \$229,000,000,000, came from individuals.

(4) Studies have shown that Americans give far more to charity than the people of any other industrialized nation—more than twice as much, measured as a share of gross domestic product, than the citizens of Great Britain, and 10 times more than the citizens of France.

(5) 7 out of 10 American households donate to charities to support a wide range of religious, educational, cultural, health care, and environmental goals.

(6) These charities provide innumerable valuable public services to society's most vulnerable citizens during difficult economic times.

(7) Congress has provided incentives through the Internal Revenue Code of 1986 to encourage charitable giving by allowing individuals to deduct contributions made to tax-exempt charities.

(8) 41,000,000 American households, constituting 86 percent of taxpayers who itemize deductions, took advantage of this deduction to give to the charities of their choice.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should preserve the income tax deduction for charitable contributions through the Internal Revenue Code of 1986 and look for additional ways to encourage charitable giving.

SA 722. Mr. BURR proposed an amendment to amendment SA 687 proposed by Ms. MIKULSKI (for herself and Mr. ISAKSON) to the bill H.R. 1388, entitled "The Edward M. Kennedy Serve America Act, an Act to reauthorize and reform the national service laws."; as follows:

On page 213, line 21, strike "Code." and insert the following: "Code.

"(d) SPECIAL RULE FOR INDIVIDUALS WORKING WITH VULNERABLE POPULATIONS.—

"(1) IN GENERAL.—Notwithstanding subsection (b) or any other provision of law, on and after the date that is 2 years after the date of enactment of the Serve America Act, a criminal history check under subsection (a) for each individual described in paragraph (2) shall, except in a case approved for good cause by the Corporation, include—

"(A) a drug test for controlled substances, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802);

"(B) the searches described in subsection (b)(1) and subparagraph (A) of subsection (b)(2); and

"(C) the background check described in subsection (b)(2)(B).

"(2) INDIVIDUALS WITH ACCESS TO VULNERABLE POPULATIONS.—An individual described in this paragraph is an individual who—

"(A) serves in a position in which the individual receives a living allowance, stipend, national service educational award, or salary through a program receiving assistance under the national service laws; and

"(B) as a result of such individual's service in such position, has or will have access, on a recurring basis, to—

"(i) children age 17 years or younger;

"(ii) individuals age 60 years or older; or