

(46) beginning MARK H. PICKETT, and ending RYAN A. WARTICK, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2009.

PN429 NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION nominations (11) beginning HEATHER L. MOE, and ending MARINA O. KOSENKO, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2009.

#### IN THE NAVY

PN52 NAVY nomination of Deandra G. Fuller, which was received by the Senate and appeared in the Congressional Record of January 7, 2009.

PN57 NAVY nominations (6) beginning DANIEL G. CHRISTOFFERSON, and ending ALBERT D. PERPUSE, which nominations were received by the Senate and appeared in the Congressional Record of January 7, 2009.

### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

#### SHI'ITE PERSONAL STATUS LAW IN AFGHANISTAN

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to Calendar No. 61, S. Con. Res. 19.

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. 19) expressing the sense of Congress that the Shi'ite Personal Status Law in Afghanistan violates the fundamental human rights of women and should be repealed.

There being no objection, the Senate proceeded to consider the concurrent resolution, which had been reported from the Committee on Foreign Relations, with an amendment to strike out all after the resolving clause and insert the part printed in italic and to strike out the preamble and insert the part printed in italic.

*Whereas in March 2009, the Shi'ite Personal Status Law was approved by the parliament of Afghanistan and signed by President Hamid Karzai;*

*Whereas according to the United Nations, the law legalizes marital rape by mandating that a wife cannot refuse sex to her husband unless she is ill;*

*Whereas the law also weakens mothers' rights in the event of a divorce and prohibits a woman from leaving her home unless her husband determines it is for a "legitimate purpose";*

*Whereas President Barack Obama has called the law "abhorrent" and stated that "there are certain basic principles that all nations should uphold, and respect for women and respect for their freedom and integrity is an important principle";*

*Whereas the United Nations High Commissioner for Human Rights has said that the law represents a "huge step in the wrong direction" and is "extraordinary, reprehensible and reminiscent of the decrees made by the Taliban regime in Afghanistan in the 1990s";*

*Whereas the Secretary-General of the North Atlantic Treaty Organization (NATO) has asserted that passage of the law could discourage countries in Europe from contributing additional troops to help combat terrorism in the region;*

*Whereas President Karzai has instructed the Government of Afghanistan and members of the clergy to review the law and change any articles that are not in keeping with Afghanistan's Constitution and Islamic Sharia;*

*Whereas the law includes provisions that are fundamentally incompatible with the obligations of the Government of Afghanistan under various international instruments to which it is a party;*

*Whereas Afghanistan is a signatory of the Universal Declaration of Human Rights (UDHR), which establishes the principle of non-discrimination, including on the basis of sex, and states that men and women are entitled to equal rights to marriage, during marriage, and at its dissolution;*

*Whereas Afghanistan became a party to the International Covenant on Economic, Social and Cultural Rights, done at New York December 16, 1966, and entered into force January 3, 1976 (ICESCR), which emphasizes the principle of self-determination, in that men and women may freely determine their political status as well as their economic, social, and cultural development;*

*Whereas Afghanistan acceded to the Convention on the Elimination of All Forms of Discrimination Against Women, done at New York December 18, 1979, and entered into force September 3, 1981 (CEDAW), which condemns discrimination against women in all its forms and reaffirms the equal rights and responsibilities of men and women during marriage and at its dissolution;*

*Whereas article 22 of the Constitution of Afghanistan (2003) prohibits any kind of discrimination between and privilege among the citizens of Afghanistan and establishes the equal rights of all citizens before the law;*

*Whereas the international community and the United States have a long-standing commitment to and interest in working with the people and Government of Afghanistan to re-establish respect for fundamental human rights and protect women's rights in Afghanistan; and*

*Whereas the provisions in the Shi'ite Personal Status Law that restrict women's rights are inconsistent with those goals: Now, therefore, be it Resolved by the Senate (the House of Representatives concurring),* [That Congress—

【(1) urges the Government of Afghanistan and President Hamid Karzai to declare the provisions of the Shi'ite Personal Status Law on marital rape and restrictions on women's freedom of movement unconstitutional and an erosion of growth and development in Afghanistan;

【(2) supports the decision by President Karzai to analyze the draft law and strongly urges him not to publish it on the grounds that it violates the Constitution of Afghanistan and the basic human rights of women;

【(3) encourages the Secretary of State, the Special Representative to Afghanistan and Pakistan, the Ambassador-at-Large for International Women's Issues, and the United States Ambassador to Afghanistan to consider and address the status of women's rights and security in Afghanistan to ensure that these rights are not being eroded through unjust laws, policies, or institutions; and

【(4) encourages the Government of Afghanistan to solicit information and advice from the Ministry of Justice, the Ministry for Women's Affairs, the Afghanistan Independent Human Rights Commission, and women-led nongovernmental organizations to ensure that current and future legislation and official policies protect and uphold the equal rights of women, including through national campaigns to lead public discourse on the importance of women's status and rights to the overall stability of Afghanistan.】  
That Congress—

(1) urges the Government of Afghanistan to revise the Shi'ite Personal Status Law, includ-

ing its provisions on marital rape and women's freedom of movement, to ensure its consistency with internationally recognized rights of women, including those contained in treaties to which Afghanistan is a party;

(2) supports the decision by President Karzai to analyze the draft law and strongly urges him not to publish it until it has been revised to be consistent with internationally recognized rights of women;

(3) encourages the Secretary of State, the Special Representative to Afghanistan and Pakistan, the Ambassador-at-Large for Global Women's Issues, and the United States Ambassador to Afghanistan to consider and address the status of women's rights and security in Afghanistan to ensure that these rights are not being eroded through unjust laws, policies, or institutions; and

(4) encourages the Government of Afghanistan to solicit information and advice from the Ministry of Justice, the Ministry of Women's Affairs, the Afghanistan Independent Human Rights Commission, and women-led nongovernmental organizations to ensure that current and future legislation and official policies protect and uphold the equal rights of women, including through national campaigns to lead public discourse on the importance of women's status and rights to the overall stability of Afghanistan.

Mr. REID. Mr. President, I ask unanimous consent that the amendment at the desk be agreed to, the committee-reported amendments, as amended, if amended, be agreed to, the resolution, as amended, be agreed to, the preamble, as amended, be agreed to, the motions to reconsider be laid upon the table en bloc, and that any statements relating to this matter be printed in the RECORD.

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

The amendment (No. 1224) was agreed to, as follows:

Strike the 11th whereas clause.

The committee-reported amendment to the resolution was agreed to.

The committee-reported amendment, as amended, to the preamble was agreed to.

The concurrent resolution (S. Con. Res. 19), as amended, was agreed to.

The preamble, as amended, was agreed to.

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

#### S. CON. RES. 19

Whereas in March 2009, the Shi'ite Personal Status Law was approved by the parliament of Afghanistan and signed by President Hamid Karzai;

Whereas according to the United Nations, the law legalizes marital rape by mandating that a wife cannot refuse sex to her husband unless she is ill;

Whereas the law also weakens mothers' rights in the event of a divorce and prohibits a woman from leaving her home unless her husband determines it is for a "legitimate purpose";

Whereas President Barack Obama has called the law "abhorrent" and stated that "there are certain basic principles that all nations should uphold, and respect for women and respect for their freedom and integrity is an important principle";

Whereas the United Nations High Commissioner for Human Rights has said that the law represents a "huge step in the wrong direction" and is "extraordinary, reprehensible and reminiscent of the decrees made by

the Taliban regime in Afghanistan in the 1990s”;

Whereas the Secretary-General of the North Atlantic Treaty Organization (NATO) has asserted that passage of the law could discourage countries in Europe from contributing additional troops to help combat terrorism in the region;

Whereas President Karzai has instructed the Government of Afghanistan and members of the clergy to review the law and change any articles that are not in keeping with Afghanistan's Constitution and Islamic Sharia;

Whereas the law includes provisions that are fundamentally incompatible with the obligations of the Government of Afghanistan under various international instruments to which it is a party;

Whereas Afghanistan is a signatory of the Universal Declaration of Human Rights (UDHR), which establishes the principle of nondiscrimination, including on the basis of sex, and states that men and women are entitled to equal rights to marriage, during marriage, and at its dissolution;

Whereas Afghanistan became a party to the International Covenant on Economic, Social and Cultural Rights, done at New York December 16, 1966, and entered into force January 3, 1976 (ICESCR), which emphasizes the principle of self-determination, in that men and women may freely determine their political status as well as their economic, social, and cultural development;

Whereas article 22 of the Constitution of Afghanistan (2003) prohibits any kind of discrimination between and privilege among the citizens of Afghanistan and establishes the equal rights of all citizens before the law;

Whereas the international community and the United States have a long-standing commitment to and interest in working with the people and Government of Afghanistan to reestablish respect for fundamental human rights and protect women's rights in Afghanistan; and

Whereas the provisions in the Shi'ite Personal Status Law that restrict women's rights are inconsistent with those goals: Now, therefore, be it

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

(1) urges the Government of Afghanistan to revise the Shi'ite Personal Status Law, including its provisions on marital rape and women's freedom of movement, to ensure its consistency with internationally recognized rights of women, including those contained in treaties to which Afghanistan is a party;

(2) supports the decision by President Karzai to analyze the draft law and strongly urges him not to publish it until it has been revised to be consistent with internationally recognized rights of women;

(3) encourages the Secretary of State, the Special Representative to Afghanistan and Pakistan, the Ambassador-at-Large for Global Women's Issues, and the United States Ambassador to Afghanistan to consider and address the status of women's rights and security in Afghanistan to ensure that these rights are not being eroded through unjust laws, policies, or institutions; and

(4) encourages the Government of Afghanistan to solicit information and advice from the Ministry of Justice, the Ministry of Women's Affairs, the Afghanistan Independent Human Rights Commission, and women-led nongovernmental organizations to ensure that current and future legislation and official policies protect and uphold the equal rights of women, including through national campaigns to lead public discourse on the importance of women's status and rights to the overall stability of Afghanistan.

#### THE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of the following items, en bloc: Calendar No. 65, H.R. 663; Calendar No. 66, H.R. 918, Calendar No. 67, H.R. 1284; and Calendar No. 68, H.R. 1595.

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

Mr. REID. Mr. President, I ask unanimous consent that the bills be read a third time and passed en bloc, the motions to reconsider be laid upon the table, there be no intervening action or debate, and that any statements related thereto be printed in the RECORD.

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

#### YVONNE INGRAM-EPHRAIM POST OFFICE BUILDING

The bill (H.R. 663) to designate the facility of the United States Postal Service located at 12877 Broad Street in Sparta, Georgia, as the “Yvonne Ingram-Ephraim Post Office Building”, was ordered to a third reading, was read the third time, and passed.

#### STAN LUNDINE POST OFFICE BUILDING

The bill (H.R. 918) to designate the facility of the United States Postal Service located at 300 East 3rd Street in Jamestown, New York, as the “Stan Lundine Post Office Building”, was ordered to a third reading, was read the third time, and passed.

#### MAJOR ED W. FREEMAN POST OFFICE

The bill (H.R. 1284) to designate the facility of the United States Postal Service located at 103 West Main street in McLain, Mississippi, as the “Major Ed W. Freeman Post Office”, was ordered to a third reading, was read the third time, and passed.

#### BRIAN K. SCHRAMM POST OFFICE BUILDING

The bill (H.R. 1595) to designate the facility of the United States Postal Service located at 3245 Latta Road in Rochester, New York, as the “Brian K. Schramm Post Office Building”, was ordered to a third reading, was read the third time, and passed.

#### CONDEMNING THE ACTIONS OF THE BURMESE STATE PEACE AND DEVELOPMENT COUNCIL

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 160.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 160) condemning the actions of the Burmese State Peace and Development Council against Daw Aung San Suu Kyi and calling for the immediate and unconditional release of Daw Aung San Suu Kyi.

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

Mr. MCCONNELL. Mr. President, I rise to note passage of a Senate resolution on Burma. This resolution reflects the U.S. Senate's unequivocal condemnation of the show trial currently being conducted by Burmese officials against Nobel Peace Prize Laureate Aung San Suu Kyi. It is bad enough that Suu Kyi has been imprisoned for 13 of the past 19 years. Now the Burmese regime, the State Peace and Development Council, has come up with the flimsiest of pretexts to try to detain her further. It appears the regime will do anything to consolidate its grip on power. One suspects that the regime wants Suu Kyi behind bars at least until elections under its sham constitution are held in 2010.

I am gratified that this resolution reflects the strong, bipartisan view of the Senate on this matter. This resolution, which was authored by Senator GREGG, is cosponsored by Senators FEINSTEIN, DURBIN, MCCAIN, BROWNBACK, LIEBERMAN, COLLINS, BENNETT, BOND and me. It is also cosponsored by the chairman and ranking member of the Senate Foreign Relations Committee, Senators KERRY and LUGAR. A clearer signal from this chamber about Suu Kyi could hardly be sent.

As I noted earlier in the week, the members of the Senate have been and will continue to monitor the trial of Suu Kyi with deep concern.

Mr. GREGG. Mr. President, this morning Secretary of State Hillary Clinton appeared before the State Department, Foreign Operations, and Related Programs Appropriations Subcommittee to discuss the fiscal year 2010 budget request for America's international affairs programs and operations. We had a productive discussion on the numerous and extraordinary challenges that our Nation faces in the world today.

During the hearing, I brought up the plight of Burmese democracy leader Daw Aung San Suu Kyi, who faces criminal charges stemming from an uninvited visit by an American citizen to her compound in Rangoon, a compound on which she has spent 13 of the last 19 years under house arrest. These charges are absurd and have been roundly, and appropriately, condemned by the international community.

Unfortunately, this is not an isolated incident but merely the latest attempt by General Than Shwe and the State Peace and Development Council to persecute Suu Kyi and her National League for Democracy party.

I regret that General Than Shwe has made clear his complete and total disinterest in improving Burma's relationship with the United States. It is apparent that any open hand will be met with a clenched fist.