

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