



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 111<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 155

WASHINGTON, TUESDAY, JANUARY 13, 2009

No. 7

## House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Ms. EDWARDS of Maryland).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
January 13, 2009.

I hereby appoint the Honorable DONNA F. EDWARDS to act as Speaker pro tempore on this day.

NANCY PELOSI,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2009, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 30 minutes and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes.

### A NEW DIRECTION FOR AMERICA'S ECONOMIC FUTURE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO) for 5 minutes.

Mr. DEFAZIO. Madam Speaker, I congratulate the President-elect on being in touch with the American people in understanding the pain on Wall Street, of job losses, of foreclosures, and of the sense of urgency. I share the sense of urgency he brings to this issue and the idea that we need a significant new investment—stimulus, whatever you want to call it—in America to turn things around. That's the good news.

The bad news is I don't believe he is well served by his economic advisers.

These are your typical pointy-headed, academic economists who think that what we need is to return to a speculative, consumer-driven society, not a wealth-oriented, production-driven society with a strong foundation. They want instant gratification with five times as much in tax cuts as investment in infrastructure in this country, a country with a \$1.6 trillion infrastructure deficit—a crumbling water system, sewer systems, roads, bridges.

One hundred sixty thousand bridges in this country on the National Highway System, let alone the local, are structurally deficient or are functionally obsolete. Our transit systems are operating with obsolescent or obsolete equipment. Now, the investments in these areas aren't all shovel-ready. They're going to drop this shovel-ready 60 days, going to be done in 18 months. We are in deep trouble in this country, and rebuilding the foundation and the underpinnings of this economy is going to be critical toward a long-term recovery effort. When you invest in these things, you put people to work. These are much better than tax cuts.

Now, you don't have to take it from me. Yes, he has his economic advisers—Mr. Summers and others—but I would rather take advice from Paul Krugman, who just got the Nobel Prize for Economics.

He says, "And bear in mind that even a project that delivers its main punch in, say, 2011 can provide significant economic support in earlier years. If Mr. Obama drops the 'jump-start' metaphor, if he accepts the reality that we need a multi-year program rather than a short burst of activity, he can create a lot more jobs through government investment even in the near term."

He goes on to say, "So my advice to the Obama team is to scrap the business tax cuts and, more important, to deal with the threat of doing too little by doing more, and the way to do more is to stop talking about jump-starts

and look more broadly at the possibilities for government investment."

How about a national high-speed rail network? That would take decades. It would cost hundreds of billions of dollars, but it would build a future for America. The emergencies would be built here. The cars would be built here. The tracks would be built here. It's so much more fuel-efficient than our current modes of transportation. How about our existing transit system—the 12,000 obsolete buses or the need for new streetcar systems? These projects, yes, can't be going in 60 or in 90 days. Well, a few of them actually can. In fact, we have a list on the Transportation and Infrastructure Committee from both local and State and national groups that totals a couple hundred billion dollars. Yet Mr. Summers poo-pooes the idea that there is an adequate amount of investment that can be begun and made in the short term, and he'd rather send it out in checks of about \$8 per pay period to Americans.

I don't think the people I represent believe that, if they get an extra \$8 take home that that's building a strong, new foundation, giving them confidence in the future of this economy, and I certainly don't believe that banks should be able to recapture taxes they paid in the past because they've speculated themselves to the verge of insolvency, taking money from the taxpayers that they won't tell us how they've billed. Now they want to get a look-back on their taxes. That's not going to put one single person to work. It might give some CEO yet another bonus, but it's not going to put anybody to work.

Let's have a much more realistic, concrete, if you will, investment in America's future rather than more of the same. The huge amount of tax cuts in this proposal sound a little bit too much like the George Bush trickle-down economy. It's time for a new direction to rebuild the foundations of

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper.

H165

this country, and I urge the President-elect to bring in his economic advisers for a little chat and, perhaps, to reorient their thinking.

**THE HERITAGE FOUNDATION SUPPORTS COOPER-WOLF SAFE COMMISSION IN STIMULUS LEGISLATION**

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. WOLF) for 5 minutes.

Mr. WOLF. Madam Speaker, I come to the floor today to raise the issue of the dire financial situation facing our country.

We must come together to face the reality that America is living on borrowed dollars to the tune of \$11 trillion in debt and \$54 trillion, soon to go higher, in unfunded liabilities with entitlements. We must offer a bipartisan solution to these long-term financial challenges.

In recent days, there have been calls to consider the long-term budget controls in tandem with any economic stimulus package offered. The respected Heritage Foundation released a report last Friday, entitled "Stimulus Legislation Must Include Budget Reforms to Address Long-term Challenges."

The report offered support for budget control mechanisms that would be set up through the Cooper-Wolf SAFE Commission legislation in the House and the Bipartisan Task Force for Responsible Fiscal Action effort proposed by Budget Chairman KENT CONRAD and Ranking Member, Senator JUDD GREGG, in the Senate.

The Heritage publication, which I submit for the record, notes that SAFE "would have the advantage of a two-step process. Its first phase would be a series of nationwide public hearings to talk frankly about the long-term fiscal problems and the tough options for fixing it and build public support for congressional action on a broad plan of action."

As our colleagues may recall, the SAFE process would culminate in legislative recommendations to Congress, and like the BRAC process for closing bases, Congress would be required to vote up or down on the plan.

I know there have been questions raised about incorporating long-term budget controls in a short-term stimulus aimed primarily at job creation, but I would argue—and many would argue—that the time is now here to begin to confront the underlying problem of autopilot spending. I don't know about other Members, but my constituents continue to share their frustration with Congress' seeming to know only how to spend money with no regard for the future.

We need to listen to the American people and show them that we can lead and that we can make the difficult choices. The longer we wait and the more consuming entitlement program spending becomes, the more draconian

our choices will be. We are mortgaging the future for our children and grandchildren. The bottom line is we cannot deal with the short-term financial problems without thinking about and dealing with the long-term solutions.

The SAFE Commission is not a new idea. Over 110 Members of Congress co-sponsored the legislation in the last year. The Heritage Foundation, the Brookings Institution and the Concord Coalition all helped draft the bill.

Jim Cooper and I joined bipartisan forces in the last Congress, and SAFE has continued to garner support from other leading voices, including the business community—the Virginia and Tennessee Chambers of Commerce, the Business Roundtable and the National Federation of Independent Business.

We all know that it will take all of the political courage that we can muster to reject the partisan and special interest demands and to do what is best for the country. If other Members have a better bipartisan idea that can pass the House, they should be introducing it, and it should be included in the stimulus package.

Not acting on this issue is effectively supporting either the "do nothing plan" or the "maybe this problem will fix itself plan" or the "let's just bury our heads in the sand plan," but the numbers don't lie. The Nation's future outlook is sobering. Just in the short term, CBO projects that the Federal budget deficit for this fiscal year alone, which started in October, will balloon to \$1.2 trillion and perhaps higher.

We offered this SAFE idea as an amendment to the FY09 Financial Services spending bill last June. Unfortunately, we came up one vote short of passage. Congressman ALLEN BOYD, the founding member of the Blue Dog Coalition, spoke eloquently from his heart in support of the amendment, asking us to envision ourselves 20 years from now, sitting on the front porch and telling our grandchildren about the days we served in Congress.

What will we tell our grandchildren—that we looked the other way, knowing that out-of-control entitlement spending would threaten the living standards of future generations?

The stakes for the country's future may have never been so high. This is clearly an economic issue, but it is also a moral and a generational issue. Abraham Lincoln once said, "You cannot escape the responsibility of tomorrow by evading it today." I believe the moral component of this issue goes to the heart of who we are as Americans.

This is not a Republican issue or a Democrat issue. It is an American issue. If we can't find a way to come together on this fundamental issue, I will have serious questions about our ability to find bipartisan solutions that will work for the good of the country.

I am asking our colleagues today to come together, to know that while we served in Congress we did everything we could in our power to provide the kind of security and way of life for our

children and for our grandchildren that our parents and grandparents worked so hard to provide for us.

This challenge, too, goes out to the leadership in Congress and to the soon-to-be Obama administration to make this a truly bipartisan effort. Put the SAFE Commission process in the stimulus package and on the fast track to enactment.

I have never been more committed to an issue and to helping to find bipartisan solutions to address our long-term financial sustainability of this country. The American people expect nothing less.

[From the Heritage Foundation, Jan. 9, 2009]  
STIMULUS LEGISLATION MUST INCLUDE BUDGET REFORMS TO ADDRESS LONG-TERM CHALLENGES

(By Alison Acosta Fraser)

Congress and President-elect Barack Obama have set their sights on a massive economic stimulus bill crammed full of spending projects intended to "jolt" the economy into recovery. By some counts this package may reach \$1 trillion, or nearly 85 percent of the total of all budget bills passed last year.<sup>1</sup>

This is not the way to spur economic recovery. But even if it were, Obama already recognizes he faces a difficult challenge: how to keep the stimulus focused on short-term deficit spending and avoid a huge, long-term expansion of the federal government—and with it a dramatic increase in the staggeringly large unfunded obligations due mainly to Social Security, Medicare, and Medicaid. To deal with that challenge, Obama should work with fiscally responsible Members of Congress to include four key budget reforms in any stimulus legislation:

1. Put long-term obligations from Social Security, Medicare, and Medicaid front and center in the budget process;
2. Establish a bipartisan congressional commission to develop a package of long-term reforms for entitlements;
3. Establish equitable policies for assessing and enforcing spending and revenues changes in the budget; and
4. Create a long-term budget for entitlement spending.

Spending and Deficits Hit New Records. Federal spending is projected to top 25 percent of GDP in 2009, according to the Congressional Budget Office (CBO), the highest it has been since World War II, and that is before any stimulus legislation. The deficit is projected to reach \$1.2 trillion by the end of this year, and any stimulus would likely push the deficit to more than \$1.6 trillion.

Similar large deficits are projected to continue into the future.<sup>2</sup> Such deficits are a loud alarm to which policymakers must listen: Federal spending is out of control. But even they ignore the deeper fiscal problems of Social Security and Medicare. These programs together, not even counting Medicaid, have an unfunded obligation that is equivalent to a mortgage of \$43 trillion.<sup>3</sup> Future generations will be forced to pay for those obligations through higher taxes unless the programs are modernized.

Budget Restraint. While making the case for his massive short-term stimulus proposal, President-elect Obama acknowledged the threat entitlements pose to the economy, noting, "If we do nothing, then we will continue to see red ink as far as the eye can see." He called budget reform "an absolute necessity," and he has pledged to confront the problems from Social Security and Medicare in his budget.

Budget writers in Congress are also alarmed. Senate Budget Committee Chairman Kent Conrad (D-ND), called the deficit

“jaw dropping,” and House Budget Committee Chairman Jack Spratt (D-SC) was suffering “sticker shock.”<sup>4</sup> They and their ranking member counterparts have encouraged lawmakers to tackle the long-term budget problems posed by these entitlement programs. Conrad and Senator Judd Gregg (R-NH) have urged Congress to link the stimulus with action to address the long-term budget crisis.<sup>5</sup>

If President-elect Obama is serious about fiscal responsibility, he and responsible Members of Congress must insist on budget reforms to prevent further deterioration of an already alarming long-term budget problem and require action to tackle these challenges directly. To that end, he and responsible lawmakers should insist on these four key budget reform measures being included in any stimulus package:

1. Put long-term obligations from Social Security, Medicare, and Medicaid front and center in the budget process, with an up-or-down vote on any budget that will increase debts on future generations. Such a measure could easily be incorporated into the annual budget resolution. This would provide a more accurate and transparent assessment of the federal government's commitments and provide all Americans with a vivid picture of the problem. All major policy changes should be scored over the long term to indicate what impact they would have on the total unfunded obligations of the government. That would provide lawmakers and the public with a better understanding of the true long-term costs of new legislation. And to put Members on record on their attitude to burdening our children and grandchildren, they should have to vote during the annual budget process if the proposed budget will increase long-term obligations.<sup>6</sup>

2. Enact a bipartisan congressional commission to develop a package of long-term reforms that will make these programs affordable. Bipartisan legislation to implement this type of commission was introduced in the previous Congress: the SAFE Act (H.R. 3654), co-sponsored by Representatives Jim Cooper (D-TN) and Frank Wolf (R-VA), and the Bipartisan Task Force for Responsible Fiscal Action Act (S. 2063), co-sponsored by Conrad and Gregg. Under both bills, a commission would craft detailed recommendations for a fast-track vote in Congress. The SAFE Act would have the added advantage of a two-step process. Its first phase would be a series of nationwide public hearings to talk frankly about the long-term fiscal problem and the tough options for fixing it and to build public support for congressional action on a broad plan of action.<sup>7</sup>

3. Establish equitable policies for assessing and enforcing spending and revenues changes in the budget. Any budget enforcement mechanism is based on changes in projected spending and revenues. The CBO projects a spending baseline by assuming that all the laws authorizing spending—such as the highway or farm programs, or even appropriations—will be extended year after year and spending levels will continue even if they expire regularly under existing law. But when it comes to taxes, the CBO's baseline is current statute, and any rates reductions, deductions, credits, etc., that are scheduled to expire are assumed to do so. The lopsided result is that spending is given a free ride under the baseline while any reduction in the growth of taxes is assumed to be temporary.

This skewed baseline means current “PAYGO” rules are biased toward tax increases. Thus, for any enforcement mechanism to be considered fair and to be effective, it must be based on the same baseline treatment for both spending and revenues. Indeed, Obama's own advisors have already

criticized this lopsided policy treatment, which stacks the deck in favor of higher spending and higher taxes.<sup>8</sup>

4. Create a long-term budget for entitlement spending. Unlike “discretionary” programs such as defense and education, “mandatory” entitlement programs like Medicare and Social Security are not budgeted annually. Entitlement spending grows on autopilot, in conjunction with the programs' regulatory framework, so there is not an open or transparent consideration of priorities or budgetary trade-offs. And since spending levels are simply the product of individuals using their entitlement, there is in a sense no budget just a projection of likely total costs. And as they grow unchecked, these entitlements crowd out other programs and priorities.

This must change, by constraining entitlement programs with a real budget. To be sure, retirement programs require longer time horizons and planning than typical discretionary programs so that beneficiaries will not face unexpected annual changes in benefits. Therefore, Congress should create a long-term framework for a constrained entitlement budget that would be periodically evaluated to ensure that these programs are sustainable and affordable over the long term. This could be done by creating a long-term budget window—for example, 30 years. All spending would be reviewed every five years, and the commission could recommend measures for Congress to ensure that the programs live within this budget framework.<sup>9</sup>

There are many reasons to be concerned over the unprecedented stimulus spending now being proposed, including the ineffectiveness of Keynesian pump priming, the perils of such an immense hike in government spending, and the creation of new permanent government programs. With the first baby boomers recently retiring, America is experiencing the first waves of the entitlement tsunami. The stimulus legislation could set the stage for a permanent sea of red ink and an even larger tsunami of debt. Substantive budget reforms are needed to prevent such a scenario from occurring.

Truly Serious? If President-elect Obama insists on a massive spending bill, he must ensure it does not result in huge permanent new government programs and thus potentially trillions of dollars in new burdens on our children and grandchildren. He must demonstrate his commitment to tackle the long-term entitlement challenges by working with Members of Congress to build sound budget process reform measures into the stimulus legislation. If he does not do so, the young Americans who voted for him should question how serious he is about protecting their financial future.

#### ENDNOTES

1. Estimated FY 2008 appropriations \$1.154 trillion, prior to all enacted supplementals. Office of Management and Budget, “Budget of the United States Government Fiscal Year 2009: Historical Tables,” Table 5.4, at [www.whitehouse.gov/omb/budget/fy2009/hist.html](http://www.whitehouse.gov/omb/budget/fy2009/hist.html) (January 9, 2009).

2. See Brian M. Riedl, “CBO Budget Baseline Shows Historic Surge in Spending and Debt,” Heritage Foundation WebMemo No. 2193, January 7, 2009, at <http://www.heritage.org/research/budget/wm2193> (January 9, 2009).

3. Department of the Treasury, “2008 Financial Report of the United States Government,” December 15, 2008, p. 41, at <http://fms.treas.gov/fr/index.html> (January 9, 2009).

4. Lori Montgomery, “Congress Urges Spending Restraint,” The Washington Post, January 8, 2009, at <http://www.washingtonpost.com/wp-dyn/content/article/>

2009/01/07/AR2009010701156.html?hpid=topnew (January 9, 2009).

5. Senators Kent Conrad and Judd Gregg, “A Fiscal Battle on Two Fronts,” The Washington Post, January 5, 2009, at [http://www.washingtonpost.com/wp-dyn/content/article/2009/01/04/AR2009010401436\\_pf.html](http://www.washingtonpost.com/wp-dyn/content/article/2009/01/04/AR2009010401436_pf.html) (January 9, 2009).

6. Alison Acosta Fraser, “Federal Budget Should Include Long-Term Obligations from Entitlement Programs,” Heritage Foundation Executive Memorandum No. 1004, June 22, 2006, at <http://www.heritage.org/Research/Budget/em1004.cfm>.

7. Alison Acosta Fraser, “The SAFE Commission Act (H.R. 3654) and the Long-Term Fiscal Challenge,” testimony before the Committee on the Budget, U.S. House of Representatives, June 25, 2008, at <http://www.heritage.org/Research/Budget/tst062508b.cfm>.

8. J.D. Foster, Ph.D., “Obama to CBO Revenue Baseline: Nuts—and He's Right!,” Heritage Foundation WebMemo No. 2019, August 11, 2008, at <http://www.heritage.org/Research/Budget/wm2019.cfm>.

9. Stuart M. Butler, Ph.D., Alison Acosta Fraser and Other Authors, “Taking Back Our Fiscal Future,” Heritage Foundation White Paper, March 31, 2008, at <http://www.heritage.org/Research/Budget/wp0408.cfm>.

#### THE NEW FRONTIER OF THE 21ST CENTURY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. COHEN) for 5 minutes.

Mr. COHEN. Madam Speaker, last week, the 111th Congress was convened, and we started by electing our Speaker, the Honorable NANCY PELOSI, for a second term of Speaker of the House.

The 111th Congress has much potential, much of it because the 107th, 108th and 109th Congresses failed as a Republican majority, and a Republican President let the free market dictate how our economy responded to economic pressures, and as a result, we have had the greatest economic catastrophe since the Great Depression.

Those Congresses—the 107th, 108th and 109th—allowed the Republican President, on faith, to take us into a war that has cost us 4,000 American lives, over 30,000 casualties and over a half trillion dollars that has robbed our citizens and our cities, Madam Speaker, of monies needed for health care, education and infrastructure.

The 110th Congress saw a Democratic majority come here, and it had an opportunity to pass legislation, some of which was approved by the President, was signed by the President or his veto was overridden. However, the President did veto several of our bills, including a children's health care plan, which we'll work on this week. We were unable to stop the hemorrhaging of our economy and of our young people's lives in the Middle East.

In both the election of a new President and in the 111th Congress's opportunity to work with President-elect Obama, I believe this Congress will be viewed as one of the most historic Congresses in the history of our country.

We have the opportunity to restore America's proper place in the world community as a nation that others see as a good and giving and intelligent country that shares the power of its ideas rather than the idea of its power, as President Clinton said, one that works in a multinational fashion to work with other countries to solve the problems around the globe.

I have great confidence that Secretary of State CLINTON will see to it that women's issues, children's issues and health care issues will be dealt with by the United States as a leader around the globe and that people will see us as a friend and not a foe, as someone to be respected and not feared.

Nevertheless, the military is always necessary for those who are incapable of seeing peace as the ultimate purpose in our time on Earth, and we will see to it that our military is effectively maintained.

Climate change threatens the very Earth we inhabit, and the Transportation and Infrastructure Committee, under the leadership of Representative Chairman JAMES OBERSTAR, will see to it that we address issues of importance that maintain the Earth as we know it, the flora and fauna as God has given them to us, and see that future generations aren't impacted as greatly as they would be.

The past Congresses did not deal with global warming. They did not sign the Kyoto Accord—the President did not—and they leave us with a problem there. So we've got a problem with the world community, a problem with the economy, a problem with the environmental standards that we need to adopt. Much to be done. It has all begun, but most of it won't really get into full swing until after the inauguration of January 20.

Madam Speaker, I urge every school system and every citizen to watch the inauguration of our next President on January 20. Allow students to watch that inauguration. Hopefully, it will instill in them the same spirit about government and the same hope that I had on January 20, 1961 when I watched John Kennedy take the oath of office.

John Kennedy gave my generation the belief that politics could be an honorable profession and that government could be a useful tool in seeing our country and our world as a better place. To a goodly extent, I think we've lost that hope that the new frontier brought some 40-some-odd years ago.

With the election of Barack Obama, hope again exists to the American people's hearts and minds. I expect his oratory to embody the spirit of America—a spirit of working together and a spirit of change that is for the betterment of this country and for the world. I hope everybody watches.

Please encourage your children to watch and to allow them to be inspired, for if they are, we'll have a generation that will participate, that will vote and that will see to it that we have a better tomorrow.

Madam Speaker, I am proud to serve in this Congress. I am very proud to serve with Speaker PELOSI. I am blessed to have the opportunity to serve with the new frontier of the 21st century, Barack Obama.

Thank you very much.

#### HONORING THE MEMORY OF ZACHARY COOK

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. SHERMAN) for 5 minutes.

Mr. SHERMAN. I ask unanimous consent that the Chair consider recognizing the gentleman from Texas first and then recognize me.

The SPEAKER pro tempore. The Chair will do that as a matter of recognition.

Mr. SHERMAN. Thank you.

The SPEAKER pro tempore. The gentleman from Texas may proceed for 5 minutes.

Mr. EDWARDS of Texas. Madam Speaker, today I rise to honor the memory of Zachary Cook, a 22-year-old Army officer and a 2008 graduate of Texas A&M University and its Corps of Cadets. Zachary died tragically yesterday in an Army helicopter crash on the A&M campus in College Station, Texas, in my district during Rudder's Rangers annual winter field training. His loss brings a great sadness to his family and friends, the extended Texas A&M family, the Army, and to all of us deprived of this patriotic citizen who was dedicated to serving our great Nation in uniform. Zachary dreamed of flying Army helicopters and was thrilled to have received his recent Army commission. He was revered as a true friend to others, someone who truly inspired and mentored his friends.

Madam Speaker, I believe the families and loved ones of our servicemen and women are truly the unsung heroes and heroines in our Nation's defense, and that is why I want to express my regret and respect to the family of Mr. Cook. A grateful Nation owes them a deep debt of gratitude, and our thoughts and prayers are with them during this difficult time. I hope they take comfort in knowing that the spirit of service demonstrated by their loved one will touch and inspire the lives of others long after we are all gone from this Earth.

Our thoughts and prayers are also with the four Texas National Guard members who were seriously injured in the crash. We pray for their speedy recovery.

We humbly recognize that we can never repay fully Zachary or his family for their loss, but I hope that his family will know our Nation will never forget their sacrifice.

May God bless the spirit of Zachary Cook and keep him lovingly in His arms.

#### BAILOUT BILL IS BACK

The SPEAKER pro tempore. The Chair recognizes the gentleman from

California (Mr. SHERMAN) for 5 minutes.

Mr. SHERMAN. Well, the \$700 billion bankers' bailout bill is back. Many of my colleagues didn't enjoy voting on it twice last year, but it is back. It is back with two votes—one vote this week, one vote next week. This week, we will vote on Chairman FRANK's bill (H.R. 384) to improve the TARP legislation, the \$700 billion bill. I believe that Chairman FRANK's bill is a step in the right direction but insufficient. Then on Friday, the Senate is expected to take up a resolution of disapproval. As you remember, the bill we passed last year, TARP, says that the executive branch gets the last \$350 billion as soon as they ask for it, or 15 days after they ask for it, unless both the House and Senate pass a resolution of disapproval, and it provides for expedited consideration of such a resolution.

So next Friday, January 16th, the Senate is expected to vote on a resolution of disapproval. Then on the following Wednesday, January 21, we will vote on a resolution of disapproval. Such a resolution would be effective only in the unusual circumstance that it passes both Houses of Congress, and even then it is subject to a possible Presidential veto. Still, this House must carry out its responsibilities.

This week, hopefully the Rules Committee will allow us to consider amendments to strengthen Chairman FRANK's bill. And next week we have to vote on releasing the second \$350 billion. When we vote next week, we will at that point have before us just the existing statute passed last year, because even if Chairman FRANK's bill passes, even if it is made much stronger than it is now, it will be languishing in the Senate next week, and we in the House will have no idea whether it will ever become law. So when we vote to release the second \$350 billion, we're basically voting again for the TARP bill, except for three differences.

First, we know a lot more now than we knew then. Second, the unprecedented transfer of money and power to the administration will be to the new administration in which many of us have far greater faith. And, finally, we will hopefully have before us a letter from the incoming administration indicating how they will use the enormous power and discretion conveyed by the existing TARP statute.

It is my hope that such a letter be explicit, be unequivocal, and be comprehensive. Explicit, so that we know exactly what they're going to do and what rules they're going to live by. Unequivocal, hopefully signed by the President, and a clear statement of the rules the administration will live by, not just a statement of principles or present intentions. And, finally, comprehensive. It should deal with the concerns that we all have, or that so many of us have, about the existing TARP legislation.

Chairman FRANK's bill will deal with transparency and deal with home foreclosures. And my hope is that since

Chairman FRANK's bill won't be law next week, that the President-elect's letter will address those issues explicitly and unequivocally. Chairman FRANK's bill calls for us to get 15 percent warrants when we make investments in banks. I am pleased to report that after discussions with the Chairman and his staff, he is going to make it clear in his bill, and I hope it is clear in any letter we get from the Obama administration, that 15 percent is a floor, not a ceiling, and that the Treasury should be obligated to work to get us all the warrants that we deserve as taxpayers for the risks that we are taking. The taxpayers should be fully compensated for the enormous risks we take when we invest in troubled Wall Street firms.

Now I am going to offer an amendment to Chairman FRANK's bill to state that while a company is holding our TARP money, they should not pay a penny in dividends and they should not purchase any of their own stock back from their existing shareholders. If the company has extra money, give the taxpayers our money back. Don't give it to your shareholders.

We do have a letter from Larry Summers, who will be playing a key role in the White House, saying, and I don't know if this is intended to be binding on the incoming administration, that they would favor strict limits on dividends and modest limits on stock repurchases, but we need stronger protections for the taxpayers.

I hope very much that we are able to work on this issue and other taxpayer protections.

---

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 55 minutes p.m.), the House stood in recess until 2 p.m.

---

□ 1400

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LARSEN of Washington) at 2 p.m.

---

#### PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

The Earth may seem hardened, but this is the time for Congress to be planting. Lord, is it too early? Too cold with indifference? Still too dark due to the lack of sunlight?

Though "a term" speaks of ending, now we are just beginning. Lord, help Congress determine what is in most need of attention, the crusted Earth held by winter or the seedlings of promise?

Guide us and protect us, Lord, that the timing may be right and we know how to foster the new growth.

As the world looks on, more hungry than envious, the Nation needs a rich harvest. So, Lord, let Congress be about planting with crafty hands and heartfelt trust. You will give the increase.

Amen.

---

#### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

---

#### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Virginia (Mr. CONNOLLY) come forward and lead the House in the Pledge of Allegiance.

Mr. CONNOLLY of Virginia led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

---

#### HUMANITARIAN CRISIS AT GAZA

(Mr. KUCINICH asked and was given permission to address the House for 1 minute.)

Mr. KUCINICH. Most Americans are unaware that 50 percent of the population of Gaza is under 14 years of age. According to the U.N., 292 Gazan children have been killed in the war, and 1,497 children have been injured.

In the past few days, many Gazan children's hospitals and clinics have been attacked, damaged by artillery fire from the Israeli defense forces. Fifty thousand children are expected to be displaced from their homes. According to the U.N., food for infants and malnourished children is not available, one-third of Gaza has no water, and most of Gaza has no electricity.

This is a humanitarian crisis of the highest magnitude. We cannot avert our eyes without staining our souls. It is time for Congress to recognize the humanitarian crisis at Gaza. Hamas' rocket fire is wrong. Israel's response has created a humanitarian disaster.

Israel is using U.S.-provided F-16 jets, Apache helicopters and white phosphorous against the people of Gaza. This imposes upon this Congress a moral obligation to speak out. We cannot be effective in promoting peace unless we recognize the scale of the suffering of the children of Gaza and take nonviolent steps to remedy the situation.

---

#### LONE STAR VOICE—DANIEL WOLF

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, I bring you news from the people. Boy Scout Daniel Wolf of Spring, Texas,

wrote me the following about our economic crisis.

"I am concerned about my generation paying for the mistakes that the government is making. It's just not fair. It's kind of like you and a friend are doing a project together and he doesn't want to do his part, so you end up doing all the work. The government is bailing out Wall Street, banks, mortgages, the car industry, and also increasing spending and putting our country into more debt and the next generation is going to have to pay for it.

"The government needs to lower taxes and quit spending so much. I think that people should spend the money they earn the way they want to and not have the government do it for them."

Mr. Speaker, those who say the government needs to take money from some citizens and give it to certain special interest groups to stimulate the economy are wrong.

As Boy Scout Daniel says, "that's not fair," and I agree. This massive government money grab and redistribution of somebody else's income is going to cause more problems during this economic crisis. But as it has been said, "if you think the problems government creates are bad, just wait until you see the government's solutions."

And that's just the way it is.

---

#### NATIONAL MENTORING MONTH

(Mr. DONNELLY of Indiana asked and was given permission to address the House for 1 minute.)

Mr. DONNELLY of Indiana. Mr. Speaker, I rise today to join my colleagues in honoring the contributions of mentors as we celebrate National Mentoring Month.

I want to recognize mentoring programs across America that are dedicated to encouraging all aspects of student development. I believe mentoring is an essential tool in cultivating a child's emotional and behavior development, and I strongly support these programs.

I would also like to congratulate an exemplary program in my district that is celebrating its 10th anniversary, the Joy Elementary School in Michigan City, Indiana. This program is a school-based mentoring program, partnering Michigan City area schools with the Michigan City business community. It is with great pleasure that I stand before the House and the American people today and commend the work of mentors and programs like Safe Harbor.

Mr. Speaker, I urge all my colleagues to vote for the resolution honoring mentors.

---

#### HARVEST HOPE FOOD BANK

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, yesterday I had the privilege of attending the opening of a new branch of the Harvest Hope Food Bank in Cayce, South Carolina, welcomed by Mayor Elise Partin. This expansion of Harvest Hope comes at a time when job losses in our community have increased the need for food banks, and many individuals find it difficult to travel to other locations.

Last year alone, Harvest Hope distributed 2.4 million pounds of food in Lexington County, and they expect that number to grow to well over 3 million in the coming year. With growing demand, I am grateful that Harvest Hope has chosen to expand their operations.

I wish to commend Denise Holland, Executive Director of Harvest Hope, for her leadership. Additionally, Mitch Watson, the incoming chairman of the board, the volunteers and local churches, ministries, and nonprofit organizations that provide assistance to the food banks deserve our utmost gratitude for their service to our community.

In conclusion, God bless our troops, and we will never forget September the 11th.

#### RESTORING THE NATION'S ECONOMIC SECURITY

(Ms. TITUS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. TITUS. Mr. Speaker, it is with great honor that I stand on the floor of this House to represent the people of Nevada's Third District. I am humbled by the trust and faith they have placed in me, and I pledge to live up to that trust.

This is a critical time in our Nation's history. We face an economic crisis that has shaken our very roots. In my district, we have seen rampant foreclosures, record unemployment, and rising prices; but despite these challenges we remain optimistic. Next week, the band from Green Valley High School in my district will be in Washington marching in the parade to welcome our next President with hope and dreams for a brighter future. It is for them and all Americans that this President and Congress must usher in a new era.

Working together in the spirit of bipartisanship, we can bring change to our community that restores our economic security and once again fulfills the potential that made our Nation great.

#### FISCAL DISCIPLINE

(Mr. CHAFFETZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CHAFFETZ. Mr. Speaker, I rise to give voice to the need to cut the size and scope of government. While the

rhetoric and calls for increased spending continue to escalate, let us also remember it is our duty and obligation to do more with less.

Over the past 12 years, annual Federal spending has more than doubled, exceeding \$3.1 trillion. Since January 2007, our government has added an average of \$2.8 billion per day to our national debt. If deficit spending were the way to prosperity, our economy would be booming.

We are more than \$10 trillion in debt and there is no end in sight. Let us remember it is not the government's money we talk about and spend, it is the American people's money. And we cannot afford to continue to run this government on a credit card. We're going to have to do more with less, and that means finding ways to cut government spending.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,  
OFFICE OF THE CLERK,  
Washington, DC, January 13, 2009.

Hon. NANCY PELOSI,  
*The Speaker,*  
*House of Representatives, Washington, DC.*

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit an envelope received from the White House on January 12, 2009, at 5:50 p.m. and said to contain a message from the President whereby he transmits the Troubled Assets Relief Program Section 115 Plan to Exercise Authority.

With best wishes, I am  
Sincerely,

LORRAINE C. MILLER,  
*Clerk of the House.*

#### REPORT DETAILING PLAN TO EXERCISE AUTHORITY UNDER EMERGENCY ECONOMIC STABILIZATION ACT OF 2008—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 111-5)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Financial Services and ordered to be printed:

*To the Congress of the United States:*

Consistent with section 115(a)(3) of the Emergency Economic Stabilization Act of 2008 (Public Law 110-343) (the "Act"), I hereby transmit a report detailing the plan of the Secretary of the Treasury to exercise the authority under the Act.

GEORGE W. BUSH,  
THE WHITE HOUSE, January 12, 2009.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,  
OFFICE OF THE CLERK,  
Washington, DC, January 12, 2009.

Hon. NANCY PELOSI,  
*The Speaker,*  
*House of Representatives, Washington, DC.*

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on January 9, 2009, at 5:15 p.m. and said to contain a message from the President whereby he transmits an agreement between the United States and new NATO Parties on the provision of atomic information.

With best wishes, I am  
Sincerely,

LORRAINE C. MILLER,  
*Clerk of the House.*

#### AGREEMENT ON PROVISION OF ATOMIC INFORMATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 111-6)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs and ordered to be printed:

*To the Congress of the United States:*

I am pleased to transmit to the Congress, consistent with sections 123 and 144 b. of the Atomic Energy Act, as amended (42 U.S.C. 2153 and 2164(b)), the text of the Agreement between the Parties to the North Atlantic Treaty for Co-operation Regarding Atomic Information, including a technical annex and security annex (hereinafter collectively referred to as the ATOMAL Agreement), as a proposed agreement for cooperation within the context of the North Atlantic Treaty Organization (NATO) between the United States of America and each of the following seven new members of NATO: the Republic of Bulgaria, the Republic of Estonia, the Republic of Latvia, the Republic of Lithuania, Romania, the Slovak Republic, and the Republic of Slovenia, hereinafter the "New Parties." I am also pleased to transmit my approval, authorization, and determination concerning the ATOMAL Agreement with respect to the New Parties, together with a copy of the memorandum of the Secretary of Defense with respect to the agreement. The ATOMAL Agreement entered into force on March 12, 1965, with respect to the United States and the other NATO members at that time. The Czech Republic, the Republic of Hungary, the Republic of Poland, and Spain subsequently became parties to the ATOMAL Agreement. The New Parties have signed this agreement and have



indicated their willingness to be bound by it. The ATOMAL Agreement with respect to the New Parties meets the requirements of the Atomic Energy Act of 1954, as amended. While the ATOMAL Agreement continues in force with respect to the United States and the other current parties to it, it will not become effective as an agreement for cooperation authorizing the exchange of atomic information with respect to the New Parties until completion of procedures prescribed by sections 123 and 144 b. of the Atomic Energy Act of 1954, as amended.

For more than 40 years, the ATOMAL Agreement has served as the framework within which NATO and the other NATO members that have become parties to this agreement have received the information that is necessary to an understanding and knowledge of and participation in the political and strategic consensus upon which the collective military capacity of the Alliance depends. This agreement permits only the transfer of atomic information, not weapons, nuclear material, or equipment. Participation in the ATOMAL Agreement will give Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia the same standing within the Alliance with regard to nuclear matters as that of the other current parties to the ATOMAL Agreement. This is important for the cohesiveness of the Alliance and will enhance its effectiveness.

I have considered the views and recommendations of the Department of Defense and other interested agencies in reviewing the ATOMAL Agreement and have determined that its performance, including the proposed cooperation and the proposed communication of Restricted Data thereunder, with respect to the New Parties will promote, and will not constitute an unreasonable risk to, the common defense and security. Accordingly, I have approved the ATOMAL Agreement with respect to the New Parties and authorized the Department of Defense to cooperate with the New Parties in the context of NATO upon satisfaction of the requirements of section 123 of the Atomic Energy Act of 1954, as amended.

The 60-day continuous session period provided for in section 123 begins upon receipt of this submission.

GEORGE W. BUSH,  
THE WHITE HOUSE, January 9, 2009.

□ 1415

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

#### SUPPORTING THE GOALS AND IDEALS OF NATIONAL MENTORING MONTH 2009

Mr. HINOJOSA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 41) supporting the goals and ideals of National Mentoring Month 2009.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

#### H. RES. 41

Whereas mentoring is a longstanding concept in which a dependable, caring adult provides guidance, support, and encouragement to facilitate a young person's social, emotional, and cognitive development;

Whereas research on mentoring shows that formal, high quality mentoring focused on developing the competence and character of the mentee, promotes positive outcomes such as improved academic achievement, self-esteem, social skills, and career development;

Whereas research on mentoring also indicates strong evidence of the success in reducing substance use and abuse, academic failure, and delinquency;

Whereas mentoring, in addition to preparing young people for school, work, and life, is also extremely rewarding for those serving as mentors;

Whereas more than 4,200 mentoring programs in communities of all sizes across the United States focus on building strong, effective relationships between mentors and mentees;

Whereas 3,000,000 young Americans are currently in solid mentoring relationships due to the remarkable vigor, creativity, and resourcefulness of the thousands of mentoring programs in communities throughout the Nation;

Whereas in spite of the progress made to increase mentoring, our Nation has a serious "mentoring gap" with nearly 15,000,000 young people currently in need of mentors;

Whereas public-private mentoring partnerships bring State and local leaders together to support mentoring programs by preventing duplication of efforts, offering training in industry best practices, and helping them make the most of limited resources to benefit the Nation's youth;

Whereas the designation of January 2009 as National Mentoring Month will help call attention to the critical role mentors play in helping young people realize their potential;

Whereas the month-long celebration of mentoring will encourage more individuals and organizations, including schools, businesses, nonprofit organizations, faith institutions, and foundations, to become engaged in mentoring across our Nation;

Whereas National Mentoring Month will, most significantly, build awareness of mentoring and encourage more people to become mentors and help close the Nation's mentoring gap; and

Whereas the President issued a proclamation declaring January 2009 to be National Mentoring Month and calling on the people of the United States to recognize the importance of mentoring: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) supports the goals and ideals of a National Mentoring Month;

(2) recognizes with gratitude the contributions of millions of caring adults and students who are already volunteering as mentors and encourages more individuals to volunteer as mentors; and

(3) encourages the people of our Nation to promote the awareness of, and to volunteer involvement with, youth mentoring.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. HINOJOSA) and the gentleman from Pennsylvania (Mr. PLATTS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

#### GENERAL LEAVE

Mr. HINOJOSA. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on House Resolution 41 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HINOJOSA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Resolution 41, which recognizes January as National Mentoring Month.

Today, we acknowledge and thank the millions of caring adults and students who are volunteering as mentors. I commend their generous efforts. National Mentoring Month also serves as a great opportunity to recruit additional mentor volunteers.

I would also like to recognize the tremendous leadership of the resolution's author, Congresswoman SUSAN DAVIS from California, on the issue of mentoring. She is a true champion and advocate for mentoring on the Education and Labor Committee. She reminds us that everyone can benefit from a mentoring relationship: young, old, students, teachers, and, yes, even Members of Congress and other public servants. Mentors can help us realize our full potential.

Mentors directly improve the lives of those who need a little extra guidance. Research consistently proves that mentors bolster academic achievement, self-esteem, social skills, and career development. In addition to these positive outcomes, mentoring reduces delinquency, substance abuse, and academic failure. Mentoring transcends the lives of our children. The importance of mentoring teaches young people that a better life is attainable through education.

Today, there are about 4,200 mentoring programs in communities all across this country. Some of these programs run out of national boys and girls clubs, YMCAs, Big Brother and Big Sister organizations, and hundreds of other nonprofit organizations. In my own congressional district, the VAMOS program and our local boys and girls clubs are exemplary programs which have provided thousands of youths with mentors. I am proud to celebrate their work during National Mentoring Month.

The mentoring programs throughout this Nation make a great difference in improving the lives of our youth. Through their efforts, 3 million young people report having quality mentor

relationships. This country, however, still needs nearly 15 million more positive mentors.

As a Nation, we must continue to encourage volunteers to invest their human capital in our youth. Through nonprofit, government, and private sector partnerships, we can expand mentorship. National Mentoring Month is a reminder to reinvest our energy towards mentoring relationships. By building awareness on this issue, I encourage more people to serve as mentors in our Nation.

Mr. Speaker, once again, I express my support for House Resolution 41, and I urge my colleagues to support me with this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. PLATTS. Mr. Speaker, I rise in support of House Resolution 41, and I yield myself such time as I may consume.

Mr. Speaker, this resolution celebrates National Mentoring Month, commends mentors who are positively impacting the lives of young people, and highlights the need for additional mentors to make themselves available to America's youth.

Mentoring is a structured and trusting relationship that brings young people together with caring individuals who offer guidance, support, and encouragement aimed at developing the competence and character of the mentee. A mentor is an adult who, along with parents, provides a young person with support, counsel, friendship, and positive reinforcement.

By all estimates an astounding 17.6 million young people, nearly half the population of young people between the ages of 10 and 18, live in situations that put them at risk of not living up to their full potential. Without immediate intervention by caring adults, they could make choices that not only undermine their futures but ultimately the economic and social well-being of our great Nation.

With the help and guidance of an adult mentor, every child can discover how to unlock and achieve his or her full potential. Youth development experts agree that mentoring is a critical element in any child's social, emotional, and cognitive development. It builds a sense of industry and competency, boosts academic performance, and broadens the horizons of prospective students.

By honoring mentors and mentoring programs, we recognize the importance of mentoring programs implemented in our local schools and communities. We also draw attention to the components of a quality program, including appropriate screening of potential mentors and careful matching of youth with adults who have a genuine interest in providing guidance and being exemplary role models.

Today, thanks to the commitment and dedication of mentoring advocates, 3 million young Americans are now enjoying mentoring's many benefits

through school-based, faith-based, and community organizations. That's a six-fold increase in formal mentoring relationships since the national mentoring movement galvanized the Nation in the early 1990s. It's an impressive accomplishment. However, 15 million more young people who need mentors are waiting their turn. They make up our Nation's mentoring gap.

To be a mentor, you don't need any special skills, just an ability to listen and to offer friendship, guidance, and encouragement to a young person growing up today. Today, I'm asking all Americans to give a child hope by sharing their time and knowledge along with their experiences.

I urge all Members to support this resolution.

Mr. HONDA. Mr. Speaker, I rise today in support of H. Res. 41, supporting the goals and ideals of National Mentoring Month, observed each January. It is a time to celebrate and highlight the positive impact adult and student mentors have on the youth of the Nation. Young people from all walks of life have the potential and ability to succeed and contribute to society. Unfortunately, not all students receive the support necessary to realize their full potential. As many as 15 million young students in our country lack the vital guidance they need to support the emotional, social, cognitive, and academic development that will enable them to reach their maximum potential and become prospering adults.

With limited resources and the considerably high teacher to student ratios in our schools, teachers in the classroom face the daunting task of providing students with emotional and personal support in addition to academic instruction. The work accomplished by our teachers is admirable, but teachers alone cannot prepare young students to become fruitful, mature adults. Mentors are critical to helping foster the personal growth of each individual child.

Together with parents, mentors provide youth with a wide array of guidance and support to enhance their social and character development. A good mentor is willing to sacrifice for his or her mentee and gives attention in all areas of life. Mentors provide encouragement in student endeavors, private counsel in delicate matters, leadership through difficult times, and advice. Such mentoring produces students who perform better in school academically, become more actively involved in their schools, have more self-confidence, and take responsibility for their own actions. As a mentor, I have seen and experienced the mutual benefits of mentorship both for the student and the mentor. Mentors are doing incredible work and I praise their commitment to our children and their future. However, more mentors than ever are needed, and our Nation faces a shortage of mentors.

As a Member of the House Appropriations Committee, I will continue to support funding for student-mentor programs and to greatly expand awareness of the benefits of mentoring. Together with my colleagues, I will encourage more adults to mentor young students as well as help train adults and students to support, guide, and lead young students. Students need more caring mentors and our children desperately need access to them. We cannot depend solely on our teachers to guide our

children. It is my hope that each child in America will some day have access to his or her own mentor. Although we face a faltering economy and tight budgets, the choice to cut corners on our children's future is not an option. Our children deserve the opportunity to realize their full potential and the opportunity to succeed in every endeavor they pursue.

I would like to thank Representative SUSAN DAVIS for introducing this legislation and providing this opportunity to renew the commitment of Congress to expanding and enhancing mentoring relationships for our Nation's youth. In addition, I want to thank all the mentors across America for their dedication and generosity.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H. Res. 41, "Supporting the goals and ideals of National Mentoring Month 2009." I would like to thank my colleague, Congresswoman SUSAN DAVIS, for introducing this important resolution, as well as the chairman of the Committee on Education and Labor, Congressman GEORGE MILLER, for his leadership in bringing the bill to the floor today.

Mr. Speaker, great numbers of Americans donate their time and their unique skills and gifts to our cities and communities, without any expectation of compensation or material reward.

As chair of the Congressional Children's Caucus, I understand how important mentors are for our youth. Mr. Speaker, today many youth face temptations that often lead them down destructive paths, and it is vitally important that we provide guidance that helps them make good decisions.

Mentors have been an integral part of society for many years, dating back to Ancient Greece. The Greek poet Homer wrote in the *Odyssey* that when Odysseus left to fight in the Trojan War, he charged Mentor, his wise old friend, with the task of caring for his son, Telemachus, and teaching him wisdom. Since then, the word mentor has come to mean a wise and responsible tutor or an experienced person who advises, guides, teaches, challenges, corrects, and serves as a model.

In our society today, mentors exist in many different environments. There are mentors in professional settings who guide apprentices by teaching them how to effectively perform in the workplace. There are mentors in academic settings who guide students, teaching them how to reach and maintain high scholastic achievement. There are mentors in community groups who guide their protégés through life issues, teaching them how to be productive citizens. There are even mentors in spiritual and church groups who advise others through their spiritual growth. In all cases, they are very important and essential to the success of the youth that they mentor.

Who needs mentors?

There are 35.2 million young people ages 10–18 in the U.S. today; of those young people: 1 out of 4 lives with only one parent; 1 out of 10 was born to teen parents; 1 out of 5 lives in poverty; 1 out of 10 will not finish high school.

About half of young Americans—17.6 million young people—want or need caring adult mentors to help them succeed in life. Of those 17.6 million young people, only 2.5 million are currently in formal mentoring relationships.



That leaves 15.1 million youth still in need of formal mentoring relationships. We call this our Nation's "mentoring gap." Mr. Speaker, imagine if every child had a mentor—just one person whom they could look up to and go to for advice and guidance. Imagine how many young lives could be positively impacted. We could create the avenues and encouragement to ensure that all of our children receive the proper education. Too many of our youth are not being properly advised and guided on the importance of getting an education.

Mentors can help give those youth living in poverty to strive towards a brighter future for themselves. Every child could benefit from having someone in his or her life to turn to for advice and help in the time of need.

The positive relationships and reinforcement that mentors provide are clearly effective. Young people today are confronted with many challenges in life. They can find the confidence to overcome many of these challenges through a mentor. The benefits of a mentor are immeasurable.

I am proud to cosponsor legislation that will add service before self to our leaders of tomorrow. I urge my colleagues to join me in supporting this legislation.

Ms. BORDALLO. Mr. Speaker, I rise today in support of H. Res. 41, and to recognize all those who mentor youth on Guam. Often we talk about children in this chamber and we sometimes lose sight of a fundamental truth: It is beyond the Government alone to truly improve the quality of life for a child. Our ability to appropriate funds or authorize Government programs does not equal the impact a single dedicated mentor can have for a child. We cannot buy patience nor can we legislate understanding. The hard work of mentoring, of explaining right from wrong, of serving as a role model, and helping establish personal goals to work toward, falls to the mentor. A mentor's work may be confined to a single child and known but to a few, but we cannot deny their collective accomplishments throughout our Nation.

There is no question that we need more mentors. Today, more than 15,000,000 children are in need of a mentor. These children are growing up in challenging times. We must encourage mentoring and express our gratitude to those who perform this invaluable service. It is unfortunately, beyond our capability to find every mentor and thank them individually. We can, however, pass H. Res. 41 to recognize all of our Nation's mentors this month and to support the goals and ideals of National Mentoring Month. I urge support for H. Res. 41.

Mrs. DAVIS of California. Mr. Speaker, mentoring impacts the lives of so many in our country. Three million people currently participate in a healthy, caring mentoring relationship. A quality mentoring program offers a young person the strength, confidence, and stability they need to mature and grow. Witnessing this growth is the unique reward for a mentor's invested time and energy.

I believe the best part about mentoring, what makes it so successful, is its simplicity. There is a basic human need to have another's care, support, and trust. A mentor can provide that to a young person, and that gift often inspires a cycle of helping others.

Unfortunately, there still exists a gaping deficit of mentors. Approximately 15 million new mentors are needed, which stems from the

demand for our Nation's youth to have positive role models in their lives.

I recently learned of a particularly touching mentoring relationship in my district in San Diego.

As an infant, Anthony was in a car accident, sadly leaving him without a mother. Since his father was in jail, Anthony was left to his grandmother's care. During his childhood, Anthony was diagnosed with Asperger's syndrome. His grandmother found him a mentor through Big Brothers Big Sisters of San Diego County and now, 11 years later, Anthony is one-half of a successful mentoring relationship. Before meeting his mentor, Anthony would never go outside and was frightened of loud noises. Spending time with his mentor every week has given Anthony the strength and self-confidence to experience things he might never have tried.

At the basis of a mentoring relationship like Anthony's is a firm and unwavering commitment. Successful mentoring relies on a commitment to show up, to open up, to be vulnerable, to learn, to laugh, to grow . . . So, this month and always, let us recognize these millions of important commitments made by young and old across our country and offer our own commitment to continue to promote the goals and ideals of National Mentoring Month.

Thank you very much, Mr. Speaker, and I urge my colleagues to join us in celebrating National Mentoring Month, 2009.

Mr. PLATTS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HINOJOSA. Mr. Speaker, I also do not have any further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HINOJOSA) that the House suspend the rules and agree to the resolution, H. Res. 41.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HINOJOSA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### HONORING THE LIFE OF CLAIBORNE PELL

Mr. HINOJOSA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 50) honoring the life of Claiborne Pell, distinguished former Senator from the State of Rhode Island.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

#### H. RES. 50

Whereas Claiborne deBorda Pell was born on November 22, 1918, in the State of New York;

Whereas after receiving a degree in history from Princeton University in 1940 and a Mas-

ter of the Arts degree from Columbia University in 1946, and after serving in the United States Coast Guard during World War II, Claiborne Pell continued his career in public service as part of the Foreign Service, serving in Czechoslovakia, Italy, and the District of Columbia;

Whereas Claiborne Pell was elected to the Senate in 1960 by the people of the State of Rhode Island;

Whereas in 1972, as a member of the Senate, Claiborne Pell was instrumental in creating the Basic Education Opportunity Grants;

Whereas the Federal Pell Grants, renamed in honor of Claiborne Pell in 1980, have helped over 54,000,000 low- and middle-income students attend college and achieve their educational goals;

Whereas during his time in the Senate, Claiborne Pell was a supporter of education, human rights, workers, international law and diplomacy, and the arts, sponsoring the legislation that created the National Endowment for the Arts and the National Endowment for the Humanities;

Whereas the High Speed Ground Transportation Act of 1965, sponsored by Claiborne Pell, became the origin for the Amtrak system in the Northeast corridor;

Whereas Claiborne Pell became Chairman of the Senate Foreign Relations Committee in 1987, and an important voice in United States foreign policy and against international military conflict;

Whereas after serving 6 terms in the Senate, Claiborne Pell retired in 1996;

Whereas Claiborne Pell was appointed United States Delegate to the United Nations in 1997;

Whereas on January 1, 2009, at the age of 90, Claiborne Pell passed away in Newport, Rhode Island: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) honors the life, achievements, and distinguished career of Senator Claiborne Pell;

(2) emphasizes that, among his legislative accomplishments, Senator Claiborne Pell changed the face of higher education by enabling millions of low- and middle-income students to achieve the dream of a college education; and

(3) recognizes the Federal Pell grants, the educational grants that bear his name, as a significant part of the legacy of Senator Claiborne Pell.

The SPEAKER pro tempore. Pursuant to the rule the gentleman from Texas (Mr. HINOJOSA) and the gentleman from Pennsylvania (Mr. PLATTS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

#### GENERAL LEAVE

Mr. HINOJOSA. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on House Resolution 50 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HINOJOSA. Mr. Speaker, I yield myself such time as I may consume.

I rise today to honor the life and numerous accomplishments of former Senator Claiborne Pell. As a six-term United States Senator from Rhode Island and the former chairman of the Senate Committee on Foreign Relations, he was a strong voice in educational policy, international policy,

and the arts. Sadly, Senator Pell passed away on the first of this year at the age of 90.

Born in 1918, Senator Pell committed himself to public service throughout his life. He served in the United States Coast Guard during World War II and later in the Coast Guard Reserves.

Returning to civilian life, Senator Pell worked in the Foreign Service in Czechoslovakia, in Italy, and right here in Washington, DC. Elected to the United States Senate from the State of Rhode Island in 1960, Claiborne Pell quickly became a leading spokesman in both international and domestic policy.

Senator Pell campaigned ardently for human rights, speaking out against genocide occurring around the world. As a supporter of the issue of diplomacy and law over military force, he advocated against the use of nuclear weapons.

While in the Senate, Claiborne Pell sponsored the High Speed Ground Transportation Act of 1965, which helped create the Amtrak system that more than 25 million people ride each year. Senator Pell also sponsored legislation creating the National Endowment For the Arts and the National Endowment For the Humanities, entities which play a vital role in developing and supporting the arts and historical preservation.

Perhaps the accomplishment for which Claiborne Pell is best known is the creation of the Pell Grant. He was the architect of the 1972 Basic Education Opportunity grants, which were later renamed in his honor by the U.S. Congress.

Senator Pell often remarked that he had been inspired to help students pay for college by the provisions in the GI bill, which had meant a great deal to him as a veteran whose comrades were propelled to succeed by its educational provisions.

Pell Grants, which have helped more than 54 million low and middle income students attend college, have changed the face of American education, opening doors for millions of Americans, including a great number of our colleagues and friends and families and community members. Among all that he had accomplished during his time on Capitol Hill, Senator Pell often called these grants his greatest achievement.

A consummate gentleman renowned for his integrity, Claiborne Pell was respected and loved by his colleagues in Congress as well as his constituents at home in Rhode Island. On this day I would like to commemorate Senator Pell's empowering work and recognize his numerous accomplishments. He is an inspiration to us all and an example of how one person can make a difference.

Senator Pell had a profound understanding of what truly makes this Nation great. In Senator Pell's words, and I quote, "The strength of the United States is not the gold at Fort Knox nor the weapons of mass destruction that

we have, but the sum total of the education and the character of our people."

□ 1430

His legacy left the United States stronger. His life's work opened the doors of educational opportunity wider than they had ever been opened before. He is an example of the great character of our people.

I urge my colleagues to support this resolution honoring this great Senator who did so much to help Americans who might otherwise not be able to attend college, pursue higher education, and reach for new heights.

Mr. Speaker, I reserve the balance of my time.

Mr. PLATTS. Mr. Speaker, I rise in support of the resolution and yield myself such time as I may consume.

I rise in support of H. Res. 50, a resolution honoring the life of Claiborne Pell, the distinguished former Senator from Rhode Island. While I never had the privilege and pleasure of working with Senator Pell, I know the Senator was a force to be reckoned with and have seen the impact of his 37 years in the Senate in a number of areas I have worked on with the Education and Labor Committee. Senator Pell was a dedicated public servant who served our country during a time of war in the United States Coast Guard and had a career in the Foreign Service prior to being elected to serve the people of Rhode Island in the United States Senate in 1960.

Senator Pell was instrumental in creating the Basic Education Opportunity Grant program, later renamed the Pell Grant Program, in his honor.

This program was inspired by the GI Bill, which had helped World War II veterans pay for educational expenses after the war. The Federal Pell Grant has become the cornerstone of every financial aid package for America's neediest students.

Since the creation of the Pell Grant, the Federal Government has distributed approximately 108 million grants to help lower income students achieve their goals of a college education. During the past 8 years, Pell Grant funding has increased by 86 percent, supporting a 28 percent increase in the number of students who have benefited from this program. Additionally, Congress strengthened this vital program during the last Congress through the Higher Education Opportunity Act. These important reforms allow students who want to accelerate their studies to receive a Pell Grant year round, expanded eligibility for the Pell Grant to students whose mother or father made the ultimate sacrifice in defense of our Nation, and included a sensible limit on the number of Pell Grants one student could receive over their educational career.

While many of us know Senator Pell for his work on creating the Pell Grant, he also sponsored legislation to create the National Endowment for the

Arts, the National Endowment for the Humanities and the Amtrak rail system. Senator Pell's interests were not purely domestic. He made important contributions in foreign affairs as chairman of the Senate Foreign Relations Committee and later as a United States delegate to the United Nations.

I know that I speak for all of our colleagues in offering great praise to Senator Pell in honoring him and expressing condolences to his family as we remember his many contributions to our great Nation.

I urge my colleagues to vote "yes" on this resolution.

Mr. Speaker, I yield back the balance of my time.

Mr. HINOJOSA. Mr. Speaker, I am pleased to recognize a new Member of Congress who served on the staff of the chairman of the Senate Foreign Relations Committee where Claiborne Pell was Chair, and I wish to yield the gentleman from Virginia, Mr. GERRY CONNOLLY, up to 4 minutes.

Mr. CONNOLLY of Virginia. I thank my colleague from Texas, and I rise in support of the resolution today.

Mr. Speaker, I also rise to pay tribute to one of the most gifted and gracious legislators who has ever served in the United States Congress, a man whose life's work influenced education, culture and diplomacy for generations of Americans. He was also a man with whom I had the great pleasure of working during my 10 years serving on the staff of the Senate Foreign Relations Committee. Senator Claiborne de Borda Pell may best be known for his effort to create a national college tuition grant program, which now bears his name, but Senator Pell was also instrumental in establishing the National Endowment for the Arts and Humanities and pushing for critical new investments in our Nation's railroad system.

As my colleagues know, Senator Pell died early Friday, January 2, at his home in Newport, Rhode Island. He was first elected to the United States Senate in 1960 and served six terms, becoming the State's longest-serving Senator. Senator Pell came from a political family that had five members serve in the House or Senate, including his great-great-granduncle George M. Dallas, who was a Senator from Pennsylvania in the 1830s and Vice President under James K. Polk in the 1840s. Senator Pell's version of his family genealogy always insisted, when you visited his home, that Dallas, Texas, was named for this distinguished forebear.

Senator Pell's father, Herbert Claiborne Pell, served one term here in the House, representing a portion of New York. Ironically, he always opposed the Federal role in education, an idea with which Senator Claiborne Pell broke courageously when he came here to the United States Congress.

After being elected in 1960, Senator Pell sponsored the preparation of a statistical report that became the basis

for the bill creating the Basic Educational Opportunity Grant that eventually produced financial aid for 54 million low- and middle-income Americans to have the opportunity to attend college. That grants program, of course, was renamed in honor of Senator Pell in 1980.

In the early 1960s, Senator Pell also had a role in the North American passenger railroad renaissance. He foresaw the potential for a resurgence in the railroad system, which inspired him to draft the High Speed Ground Transportation Act of 1965, recommending that the Federal Government pump a half a billion dollars into rail transportation in the busy Northeast corridor between Boston and Washington, DC. He further accelerated that construction, realizing how important the magnitude of this project was, and increased the overall investment to \$1 billion. It was from this initiative that the modern Amtrak system emerged.

Senator Pell also possessed a keen interest in the arts and was the author of the National Foundation of Arts and Humanities Act of 1965. That legislation paved the way for the National Endowment for the Arts, which makes Federal grants to artists and art organizations, and the National Endowment for the Humanities, which is federally funded and dedicated to supporting research, education, preservation, public programs in the humanities and projects exhibiting artistic excellence. Senator Pell's vision almost single-handedly revived the arts and humanities in myriad communities in the United States.

Finally, Mr. Speaker, on a personal note, I had the privilege of working with Senator Pell during his tenure as the chairman of the Senate Foreign Relations Committee, where I served on committee staff. Senator Pell was a gracious and thoughtful man. He met with any and all constituents who requested a meeting, and he did so always on time.

As a former Foreign Service Officer and Coast Guard serviceman, he was a strong and passionate voice for the men and women who serve our country abroad and in the Coast Guard all of his distinguished career. He had his eccentricities, but they did not characterize the man. What characterized Claiborne Pell, Mr. Speaker, was a sense of duty and his devotion to his country, his citizens, his high moral principles and, despite his wealth, his desire to spread opportunity to the average man and woman of this country.

His loss will be a source of grief for me personally and all who knew him.

Mr. HINOJOSA. I have no further speakers.

Mr. PLATTS. Mr. Speaker, I had a speaker arrive after I had already yielded my time back.

I would ask unanimous consent to reclaim my time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. PLATTS. Mr. Speaker, I yield such time as he may consume to the distinguished Member from California (Mr. DREIER).

Mr. DREIER. I thank my good friend from Pennsylvania and my friend from Texas.

Mr. Speaker, I wasn't planning to speak about Senator Pell until I heard the very thoughtful remarks of our new colleague on the other side of the aisle, and I was thinking when he mentioned the term "eccentricities" not defining Claiborne Pell, it immediately brought to mind one of my first opportunities to have an exposure to an elected leader. I was in the 1970s an undergraduate in college in California, and we had, as a speaker on our campus, Senator Claiborne Pell, who was flying in. I was charged with the task, Mr. Speaker, of actually picking him up at Los Angeles International Airport.

I will never forget when he arrived, and looking like the New England gentleman that he was, he came to Los Angeles wearing a hat, carrying a great big overcoat, and someone confronted him at the airport. I was reminded, when my friend was just speaking about the fact that he would meet and talk to everyone, I had a car waiting, and he stopped and spoke at length with this gentleman there.

Then, just a very few years later, Mr. Speaker, I was very privileged to be able to have the opportunity to be elected to serve here in the Congress, and I reminded Senator Pell of my first introduction to him just a few years before when I was an undergraduate, and he recounted very fondly his visit then. And I had a chance, during that period of time, to develop a friendship with him and work with him on a number of issues.

So I rise in strong support of this resolution. He was a great public servant and a fascinating human being, and I urge my colleagues to support this resolution.

Mr. HINOJOSA. Mr. Speaker, I want to say that I am so happy to hear Congressman DREIER make those kind remarks. As I listened to him, it reminded me of 2 years ago when I was chosen by members of the Democratic Caucus to be the chairman of the Higher Education Committee, and one of the first things that I did was to invite presidents and chancellors of different universities throughout our land to come into our office and tell us about what they consider to be the priorities that they had on higher education.

I am pleased to say that the chancellor from California, Cal State system, came by to visit me. He pointed out that through the association of presidents and chancellors that there was no question that the highest priority that they had for the 110th Congress was that we do something about increasing the amount of Federal investment in Pell Grants.

I am pleased to say that we heard the message and we did something about

it, and that we have, in this Congress, the 110th, and we pledge in the 111th Congress, to continue paying attention to the need for funding for Pell Grants. Because if we are to address the affordability and the accessibility of higher education for many of the children of working families, it requires that additional Federal investment as we now talk about the Pell Grants.

With that, I urge everyone to vote "yes" on this suspension bill.

Mr. VAN HOLLEN. Mr. Speaker, I rise today to pay tribute to Claiborne Pell, the great former Senator from Rhode Island. Senator Pell's life was defined by service, from the Coast Guard, to the Foreign Service, to 36 years in the United States Senate. He was a model statesman, willing to listen and compromise but never straying from his commitment to fairness and equality.

Senator Pell has left a long list of achievements, but his greatest legacy is the Pell grant, which has opened the doors to college for over 50 million students. He also introduced legislation to create the National Endowment for the Arts and the National Endowment for the Humanities. He was an ardent environmentalist, working to protect oceans from nuclear testing.

Those are just a few of Senator Pell's many accomplishments. I would like to turn for a moment to some personal observations. I had the great privilege of working for Senator Pell when I was a member of the staff of the Senate Foreign Relations Committee from 1987 to 1989. He was a man of both grace and principle. He rarely spoke a word in anger, but he didn't retreat from tough issues. He was a gentle soul with a kind word for most. But it would be a grave mistake for anyone to interpret his gentle disposition as a sign of weakness. He was passionate about the issues he cared about and relentless in pursuing them.

He was insistent that the United States play a leading role in the world. He believed strongly in attempting to resolve international conflicts through negotiation and diplomacy before resorting to the use of force. His approach may have fallen out of political fashion for a time, but the passage of time has shown the wisdom of his counsel.

We have entered an age that is often dominated by 20-second sound bites and partisan political combat. Senator Pell would not have felt as comfortable in this new political environment, nor should he. Rather, we would do better to return to the more, deliberate and gentle ways he brought to the Senate. We have a lot to learn from his example. I will miss him, but our Nation is certainly stronger and better as a result of the life he lived and the legacy he left behind.

Mr. HINOJOSA. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HINOJOSA) that the House suspend the rules and agree to the resolution, H. Res. 50.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HINOJOSA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

RECOGNIZING THE EFFORTS OF THOSE WHO SERVE THEIR COMMUNITIES ON MARTIN LUTHER KING DAY

Mr. HINOJOSA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 43) recognizing the efforts of those who serve their communities on Martin Luther King Day and promoting the holiday as a day of national service.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 43

Whereas the King Holiday and Service Act, a law designating Martin Luther King Day as a national day of volunteer service, was signed into law in 1994;

Whereas millions of Americans have been inspired by the life and work of Dr. Martin Luther King, Jr. to serve their neighbors and communities every third Monday of January;

Whereas serving one's community for the betterment of every individual speaks to the high character, transformative world view, and everyday practice of Dr. Martin Luther King, Jr.;

Whereas the efforts of national service volunteers have been a steadfast foundation of our Nation's infrastructure, supporting not only individuals and families in need, but acting in response to national catastrophes and natural disasters;

Whereas citizens have the opportunity to participate in thousands of already scheduled events all across the country, as well as create and implement a community service project where they identify the need;

Whereas the Corporation for National and Community Service, is working with the Martin Luther King, Jr. Center for Non-violent Social Change, and thousands of other nonprofit, community, national service, and education organizations across the country to encourage Americans to serve on this holiday and throughout the year; and

Whereas leaders at the Federal, State and local level are planning to use the Martin Luther King Day and Inauguration Day to rally our Nation to commit to serve and to make an ongoing commitment to service: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) encourages all Americans to pay tribute to the life and works of Dr. Martin Luther King, Jr. through participation in community service projects on Martin Luther King Day;

(2) recognizes the inherent value of community service and volunteerism in the creation of civil society and as a means of non-violent community progress consistent with the works of Dr. Martin Luther King, Jr.;

(3) recognizes the benefits of the collaborative work by the many organizations that promote, facilitate, and carry out needed service projects nationwide;

(4) encourages its members and colleagues to urge their constituents, both in congressional districts and those visiting the District of Columbia on Inauguration Day, to participate in community service projects; and

(5) acknowledges that by serving one's country, one's community and one's neighbor our Nation makes progress in civility, equality, and unity consistent with the values and life's work of Dr. Martin Luther King, Jr.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. HINOJOSA) and the gentleman from Pennsylvania (Mr. PLATTS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. HINOJOSA. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on House Resolution 43 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HINOJOSA. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of the resolution before us, which recognizes the critical role of service and those who give of their time to give back to their communities.

□ 1445

This resolution also reminds us that Martin Luther King, Jr. Day is a national day of service and encourages everyone to take part.

It is fitting that the day named in honor of the Reverend Martin Luther King, Jr., is also a day for neighbors, for friends, young and old, to give back to their communities. Dr. King's leadership in the ministry and public service produced epic and societal change to this great nation. He set an example for all of us to follow.

His words offer us very simple directions. In his "drum major instinct" speech he said, "You don't have to have a college degree to serve. You don't have to make your subject and your verb agree to serve. You don't have to know about Plato and Aristotle to serve. You only need a heart full of grace, a soul generated by love."

Over the last few years, the United States has endured and survived the terrorist attacks of 9/11 and hurricanes and floods that devastated families and communities. Without hesitation, volunteers across the Nation rallied together to help stabilize and to rebuild our devastated communities. And just as critical, during times of peace and calm in communities across this country, people hear the call of service and provide assistance in the classroom, in hospitals, in parks, and to children, the elderly, and to each other.

I want to thank the Service Caucus and my friend and colleague Representative TODD PLATTS of Pennsylvania for bringing this resolution forward and reminding us that our country was built on the idea of service. And while we set aside Martin Luther King, Jr. Day as a day of service, there are opportunities to give back each and every day.

Mr. Speaker, I reserve the balance of my time.

Mr. PLATTS. Mr. Speaker, I rise in support of H. Res. 43 and yield myself such time as I may consume.

Mr. Speaker, House Resolution 43 promotes the Martin Luther King holiday as a day of national service and recognizes the efforts of the countless Americans who will volunteer their services on behalf of many worthy causes. I am proud to have introduced this resolution with my fellow co-Chairs of the National Service Caucus, Representatives DORIS MATSUI and DAVID PRICE.

In 1994, President Bill Clinton signed into law the King Holiday and Service Act to officially establish Martin Luther King Day as a day of national service in recognition of Dr. King's selfless and courageous service to his fellow citizens. Since this time, millions of Americans have recognized this holiday as "a day on," not "a day off," by volunteering in soup kitchens, organizing charity drives, mentoring children or aiding in urban revitalization efforts.

This year, the Corporation for National & Community Service, America's Promise Alliance and AmeriCorps NCCC are hosting a food drive across Capitol Hill to restock the shelves at the Capital Area Food Bank. Washington, D.C. schools will be closed for a 5-day weekend with the Martin Luther King holiday and the Presidential inauguration this coming week, leaving over 50,000 students without nutritious meals they would have otherwise received through the school lunch and breakfast programs.

Non-perishable canned food items can be delivered through this Thursday, January 15, to either my office or the offices of Representatives DORIS MATSUI, DAVID PRICE and MIKE HONDA. On Thursday, AmeriCorps NCCC students will pick up the canned food items and ensure their delivery to the Capital Area Food Bank.

Finally, there are numerous opportunities for individuals to serve their communities on Martin Luther King Day. I urge my fellow Members of Congress and constituents to take time out of their daily lives and give back to their communities. A list of volunteer opportunities is an available online at [mlkday.gov](http://mlkday.gov).

I cannot think of a more appropriate way to honor the heroic life and accomplishments of Dr. Martin Luther King than by serving one's community, and encourage all Americans to do so. I urge my colleagues to support this resolution.

Mr. Speaker, I yield back the balance of my time.

Mr. HINOJOSA. Mr. Speaker, I am pleased to yield 4 minutes to the distinguished gentlewoman from California (Ms. MATSUI), who serves on the Rules Committee and the Energy and Commerce Committee.

Ms. MATSUI. Mr. Speaker, I would like to thank the gentleman from Texas for yielding me this time.

I rise today to offer, along with my National Service Caucus co-Chairs, of which the gentleman from Pennsylvania is one, a resolution highlighting the men and women who inspire and actively pursue a better country, those who serve the communities on Dr. Martin Luther King, Jr. Day.

Since 1994, we have celebrated the King holiday by making it “a day on,” not “a day off,” observing every third Monday in January as a national day of service. Dr. King’s legacy guides us to work for equality and social justice, towards common understanding and shared experiences. Serving one’s neighbor, one’s community and our country allow every individual in our Nation to walk down the road with Dr. King, looking forward, continually focused on reaching the promised land.

This coming Monday, millions of Americans will participate in thousands of already-planned events across this country. Thousands more will come to our Nation’s capital to see history in the making and answer our President-elect’s call to service. As we embark on a new era of optimism and hope for a better tomorrow, we should start our journey by not only observing change, but by honoring the legacy of Dr. King and actively creating it.

I commend and join with President-elect Obama and Vice President-elect BIDEN in calling for a new attitude toward service in our country. When we ask what we can do for our country, the call shouldn’t be answered only one day a year.

It is my hope that this year’s Martin Luther King, Jr. Day of National Service marks a starting point that will continue throughout the year and engage millions of Americans in a new commitment to service.

This year’s national day of service promises to be larger than ever before. Efforts by the many service organizations, as well as the Presidential Inaugural Committee and the corporation for National and Community Service, have organized like never before. Right here on Capitol Hill, as has been previously mentioned, the organization America’s Promise, along with the Corporation for National and Community Service, are sponsoring a food drive to support local food banks. These groups have utilized technology and the Internet to make opportunities easy to find and easy to do.

The fact that this year’s King Day of Service is one day before the inauguration of President-elect Obama provides a unique opportunity to reach millions of Americans with a message to serve. I ask my colleagues to join with me in promoting service on Martin Luther King, Jr. Day and encouraging all of those constituents, both at home and those traveling to Washington, D.C. for the inauguration, to serve.

Thank you once again.

Mr. HINOJOSA. Mr. Speaker, I am pleased to yield 4 minutes to my good friend, the gentleman from the State of Illinois (Mr. DAVIS), a gentleman who

serves on the Ways and Means Committee and has served and distinguished himself on our Committee on Education and Labor.

Mr. DAVIS of Illinois. Thank you very much, Mr. Chairman. Let me first of all thank my good friend and chairman of our subcommittee. As a matter of fact, I am already beginning to feel disappointed and underprivileged because I will not have the opportunity to serve with him this year as a result of leaving the Education Committee. But I want to thank him for yielding time, and I want to thank him for his tremendous leadership.

Mr. Speaker, next Tuesday will usher in a new era of hope, a new chapter in the history of America, when President-elect Obama takes office. This historic moment brings renewed energy to Dr. King’s mission and memory. We must not forget that we have reached this place in history partly because of Dr. King’s remarkable life. Today I would like to honor his memory and those who work tirelessly for his cause.

Frederick Douglass once said, “A battle lost or won is easily described, understood, and appreciated, but the moral growth of a great nation requires reflection, as well as observation, to appreciate it.” Today, we do just that. Today we reflect on one life that changed the course of so many others. We reflect on the commitment and integrity of a man who stood up to those who said he was nothing. We reflect on a man who had his priorities in line, who knew what was important and never forgot it. And we reflect so that we can learn what we must do as a nation to realize Dr. King’s dream.

Born January 15, 1929, Dr. King grew up to be a man who would change American history by fighting for fairness, dignity and equality for all under the law and through the eyes of his fellow citizens. But his journey was never easy. Martin Luther King attended Georgia’s segregated public schools. Like so many others, Dr. King was told by society that he was a lesser being and that he could never be as good, as human, as his peers.

But his journey was never easy. Despite the hardships, the bombings, the fire hoses, the dogs, the relentless beatings and the death of those devoted to his cause, Dr. King was able to rally his followers to rise to the occasion by his purpose-driven actions and unforgettable rhetoric.

In the great example of Dr. King’s influence, 250,000 men and women, white and black, gathered for the famous march on Washington. It was there that Dr. King delivered his “I have a Dream” speech to the Nation.

Dr. King’s legacy reminds us that there are some things we must continue to fight for. And although the rocky road that Dr. King traveled is somewhat smoother today, this Nation must continue to promote equal opportunity and fairness for all Americans. As we face today’s many challenges, we remember that Dr. King’s hope for a better tomorrow is very much alive.

So I thank you, Mr. Speaker, for the opportunity to participate in this discussion, and again I want to thank my friend and colleague from the great State of Texas for giving me the opportunity.

Mr. HINOJOSA. Mr. Speaker, I yield 4 minutes to the honorable gentleman from California (Mr. DREIER) so that he can speak to this House resolution.

Mr. DREIER. Mr. Speaker, let me begin by expressing my appreciation to my good friend and colleague Mr. HINOJOSA for his leadership and his management of this, and to my friend Mr. PLATTS as well, and Ms. MATSUI and Mr. DAVIS for their very thoughtful remarks.

I, of course, rise in very strong support of the resolution. I was looking forward to voting for it, but I didn’t intend to address it until I listened to the remarks of Mr. DAVIS in which I was reminded of a very thoughtful interview I heard this morning with the Reverend Joseph Lowery, who, as we know, next Tuesday at the age of 87 is going to be participating in the historic inauguration of Barack Obama.

He was talking about the Reverend Martin Luther King and the level of activism that he had in the civil rights movement, and he ended his interview by saying, Mr. Speaker, that he very much appreciated the fact that at age 87 he had lived long enough to be able to see the history that we will all witness next Tuesday.

This resolution is focused on ensuring that we encourage the level of volunteerism that is necessary to deal with what is a very, very serious societal challenge that we face at this moment, and that is the hunger problem; the fact that there are so many people who, because of the economic downturn through which we are going, are suffering.

So I want to join with my friends, encouraging my constituents in California, those here in the metropolitan area, and others around the country to support the effort that Mr. PLATTS talked about, by contacting offices and doing what they can at food banks to provide assistance. It is being done in the names of Barack Obama, the Reverend Joseph Lowery, and, of course, Dr. Martin Luther King.

So I again thank my colleagues for their effort and the focus on this very, very important issue, and again urge all of us to support this resolution.

Mr. BACA. Mr. Speaker, I rise today to voice my strong support for H. Res. 43, a resolution that promotes the Martin Luther King Holiday as a day of national service.

For me, one of the most powerful images of Washington is the image of Dr. King conveying his dream during his 1963 “March on Washington”, on the steps of the Lincoln Memorial.

Dr. King understood government has a fundamental responsibility to meet the needs of all Americans regardless of race or economic class.

As our Nation prepares to celebrate Martin Luther King Day, and the inauguration of the

next President, we remember Dr. King as a beacon of change.

He gave people the faith and courage to work peacefully for change to stop racial discrimination, and promote equality and opportunity across America.

So on the day of remembrance named in his honor, let us all truly recommit ourselves to changing and working to bring about opportunity for all Americans.

We call on our Nation to serve, and recognize the determination of those men and women who continue to work to make the world a better place for future generations.

I urge my colleagues to honor the legacy of Dr. King and those who continue to follow his example, and support H. Res. 43.

Mr. HONDA. Mr. Speaker, I rise today with the great pleasure of supporting of H. Res. 43, which recognizes the hard work of those who serve in their communities on Martin Luther King Day and promotes the holiday as a day of national service.

During Dr. Martin Luther King, Jr.'s lifetime, he worked tirelessly towards creating a more just America, seeking to not only heal this nation's racial divides, but to empower all Americans to take responsibility for bettering their communities through service. Recognizing this legacy, Congress passed the King Holiday and Service Act in 1994, designating the King Holiday as a national day of volunteer service and asking Americans of all backgrounds and ages to honor Dr. King's legacy by engaging in service projects in their communities. Since Congress passed the act 14 years ago, millions of Americans have come together on the third Monday of January to engage in service projects ranging from mentoring children to building homes. By bringing together neighbors who might not normally meet, the King Day of Service strengthens our communities and country by breaking down barriers that have historically divided us and promoting civic engagement.

Although participation in the King Day of Service has increased each year, many Americans remain unaware of the service component of the holiday, making it essential for more organizations to promote this fitting tribute to Dr. King's memory. As the Chair of the Congressional Asian Pacific American Caucus, I am proud to join the Congressional Black Caucus, Congressional Hispanic Caucus and the National Service Caucus in co-sponsoring a food drive to support the Capitol Area Food Bank, whose resources are running thin. In Washington, DC alone, 56,000 children are at risk of being hungry on any day of the year. But with the convergence of the Martin Luther King, Jr. Federal holiday and the Presidential Inauguration, these children face a long 5-day weekend when the school breakfasts and lunches upon which they depend will not be available.

I am proud to recognize the millions of Americans inspired by the life of Dr. Martin Luther King, Jr. to serve their communities and encourage all my colleagues in Congress and our fellow Americans to join their neighbors in community service projects on this important day and throughout the year.

Mr. SIRES. Mr. Speaker, today I rise in support of H. Res. 43, a resolution recognizing the efforts of those who serve their communities on Martin Luther King Day and promoting the holiday as a day of national service.

I am proud to have this opportunity to highlight the importance of national service as well as honor a national leader and hero, Martin Luther King, Jr.

Next Monday, we will celebrate this extraordinary man and the legacy of service he engrained on our Nation through our dedication to service.

This year, our celebration of Dr. King's life and his commitment to improving the lives of all Americans is more significant than ever as the country swears in our first African American president, Barack Obama, the very next day.

The extraordinary work of Dr. King and his enduring message of providing equal opportunities for all Americans—in conjunction with the inauguration of our new president—provide proof that our Nation is capable of great change and proof that through service, our Nation can accomplish whatever it dreams.

As our country swears in President Obama on January 20, I know that Martin Luther King, Jr. will be in my thoughts, as well as in the thoughts of many proud Americans. It is people like Dr. King that make our country great, that make me proud to be a citizen of this great Nation, and that inspire me to serve.

I am pleased to join my colleagues in recognizing the amazing service of this man that continues to inspire in our Nation year after year.

I urge my colleagues to not only join me in supporting today's resolution, but join me in continuing the call for service in our communities on this special day, and throughout the year.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in strong support of H. Res. 43, and thank my colleague Congressman TODD PLATTS, authoring this important resolution.

Mr. Speaker, yesterday the Nation observed for the 21st time the Martin Luther King, Jr., holiday. Each year this day is set aside for Americans to celebrate the life and legacy of a man who brought hope and healing to America. The Martin Luther King holiday reminds us that nothing is impossible when we are guided by the better angels of our nature.

Dr. King's inspiring words filled a great void in our Nation, and answered our collective longing to become a country that truly lived by its noblest principles. Yet, Dr. King knew that it wasn't enough just to talk the talk; he knew he had to walk the walk for his words to be credible. And so we commemorate on this holiday the man of action, who put his life on the line for freedom and justice everyday.

We honor the courage of a man who endured harassment, threats and beatings, and even bombings. We commemorate the man who went to jail 29 times to achieve freedom for others, and who knew he would pay the ultimate price for his leadership, but kept on marching and protesting and organizing anyway.

Dr. King once said that we all have to decide whether we "will walk in the light of creative altruism or the darkness of destructive selfishness. Life's most persistent and nagging question, he said, is 'what are you doing for others?'"

When Martin talked about the end of his mortal life in one of his last sermons, on February 4, 1968, in the pulpit of Ebenezer Baptist Church, even then he lifted up the value of service as the hallmark of a full life. "I'd like somebody to mention on that day Martin Lu-

ther King, Jr. tried to give his life serving others," he said. "I want you to say on that day, that I did try in my life . . . to love and serve humanity."

Mr. Speaker, during these difficult days when the United States is bogged down in a misguided and mismanaged war in Iraq; calamities on Wall Street—Main Street—and in the American automobile industry; we should also remember that the Rev. Dr. Martin Luther King, Jr., who was above all, a person who was always willing to serve to help his fellow man.

This year thousands of Americans across the country will celebrate the national holiday honoring the life and work of Martin Luther King, Jr. by making the holiday "a day on, not a day off."

The King Day of Service is a way to transform Dr. Martin Luther King, Jr.'s life and teachings into community service that helps solve social problems. That service may meet a tangible need, such as fixing up a school or senior center, or it may meet a need of the spirit, such as building a sense of community or mutual responsibility. On this day, Americans of every age and background celebrate Dr. King through service projects that:

Strengthen Communities—Dr. King recognized the power of service to strengthen communities and achieve common goals. Through his words and example, Dr. King challenged individuals to take action and lift up their neighbors and communities through service.

Empower Individuals—Dr. King believed each individual possessed the power to lift himself or herself up no matter what his or her circumstances—rich or poor, black or white, man or woman. Whether teaching literacy skills, helping an older adult surf the Web, or helping an individual build the skills they need to acquire a job, acts of service can help others improve their own lives while doing so much for those who serve, as well.

Bridge Barriers—In his fight for civil rights, Dr. King inspired Americans to think beyond themselves, look past differences, and work toward equality. Serving side by side, community service bridges barriers between people and teaches us that in the end, we are more alike than we are different.

These ideas of unity, purpose, and the great things that can happen when we work together toward a common goal—are just some of the many reasons we honor Dr. King through service on this special holiday. I urge my colleagues to join me in supporting this legislation and the man who epitomized community service—Dr. Martin Luther King, Jr.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to honor Dr. King's legacy and to commemorate this day of national service.

Dr. King once said, "Everybody can be great . . . because anybody can serve. You don't have to have a college degree to serve. You don't have to make your subject and verb agree to serve. You only need a heart full of grace. A soul generated by love."

It is that idea, that together we can make a difference, in this Nation and in the lives of others, that has prompted this day of service. I believe that the message of change resonates greatly this particular Martin Luther King Day.

This past year, I have seen young people who have never before been involved in service working to change their communities. The



ideals for which Dr. King gave his life have energized a new generation of peaceful activists. These young people may not have experienced the words and spirit of Dr. King during their lifetime, but his legacy drives their efforts and enthusiasm.

It is a testament to his greatness that Dr. King's message has transcended time and generations. Dr. King called on all of us to no longer stand alone in silence, but to stand up together as a voice against injustice. He inspired us to fight for change through non-violent means, and paved the road for us to continue that fight even after his death.

Dr. King left us with the challenge to courageously fight and secure the civil rights for all, from the impoverished and disenfranchised underclass to the politically and economically endowed. And while we have made great progress, there is still work to be done. We must remain diligent and engaged in defining how our Nation will achieve this equality.

Today's Martin Luther King Day is as much about the past as it is about the present and the future. Dr. King's dream is truly timeless, and I hope all will participate in this day of service to honor his faith and vision.

Mr. BARROW. Mr. Speaker, I rise in support of H. Res. 43 honoring the memory of Dr. Martin Luther King, Jr., and thanking those who continue to honor his memory by giving back to the communities in which they live.

Dr. King once said, "Life's most persistent and urgent question is, 'What are you doing for others?'" Enacted in 1994 by Congress, the Martin Luther King, Jr., Day of Service was started to honor Dr. King's legacy by giving folks the opportunity to answer that question. Its theme, "Make it a Day On, not a Day Off," urges Americans everywhere to spend their day off working to create a better society—as Dr. King did.

Despite all the hardships and discrimination he experienced in his lifetime, Dr. King never lost his profound love for all mankind. I'd like to thank those Americans who spend their holiday volunteering in their communities, helping out their brothers and their sisters. Your selflessness and sense of civic duty move America one step closer to Dr. King's vision of the "Beloved Community." That is worth a day's work from any of us.

Ms. LEE of California. Mr. Speaker, I rise today to express my strong support for H. Res. 43, which recognizes the efforts of those who serve their communities on Martin Luther King Day and promotes the holiday as a day of national service.

Fifteen years ago, the enactment of the King Holiday and Service Act officially designated Martin Luther King Day as a national day of volunteer service. Each year since, millions of Americans across the country, and thousands in my congressional district, have been inspired to serve their neighbors and communities every third Monday of January.

This is an impressive achievement but it is a fitting tribute to one of the greatest figures in world history. Dr. King dedicated and, ultimately, sacrificed his life to serve others, especially "the least of these." As he famously observed, "Everybody can be great because everybody can serve."

Mr. Speaker, at this defining moment in history our country faces enormous challenges and given the enormity of unmet needs, every contribution—big and small—matters.

All across our land, there are children and adults to educate; seniors to care for; hungry

persons to feed; jobless to train and employ; the environment to protect; and justice to pursue. In short, there is much unfinished work to be done.

Mr. Speaker, I applaud the Corporation for National and Community Service, the Martin Luther King, Jr. Center for Nonviolent Social Change, and thousands of other nonprofit, community, national service, and education organizations across the country for encouraging Americans to serve their communities this holiday and throughout the year.

I urge all Americans to honor Dr. King by making the holiday in his honor a "day on," not a day off. Dr. King could always be found serving others. So should we.

□ 1445

Mr. HINOJOSA. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HINOJOSA) that the House suspend the rules and agree to the resolution, H. Res. 43.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HINOJOSA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### IMPEACHMENT INQUIRY OF JUDGE G. THOMAS PORTEOUS

Ms. MATSUI. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 15) authorizing and directing the Committee on the Judiciary to inquire whether the House should impeach G. Thomas Porteous, a judge of the United States District Court for the Eastern District of Louisiana, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

#### H. RES. 15

*Resolved*, That in continuance of the authority conferred in House Resolution 1448 of the One Hundred Tenth Congress adopted by the House of Representatives on September 17, 2008, the Committee on the Judiciary shall inquire whether the House should impeach G. Thomas Porteous, a judge of the United States District Court for the Eastern District of Louisiana.

SEC. 2. The Committee on the Judiciary or any subcommittee or task force designated by the Committee may, in connection with the inquiry under this resolution, take affidavits and depositions by a member, counsel, or consultant of the Committee, pursuant to notice or subpoena.

SEC. 3. There shall be paid out of the applicable accounts of the House of Representatives such sums as may be necessary to assist the Committee in conducting the inquiry under this resolution until a primary expense resolution providing for the expenses of the Committee on the Judiciary for the

first session of the One Hundred Eleventh Congress is adopted. Any of the amounts paid under the authority of this section may be used for the procurement of staff or consultant services.

SEC. 4. (a) For the purpose of the inquiry under this resolution, the Committee on the Judiciary is authorized to require by subpoena or otherwise—

(1) the attendance and testimony of any person (including at a taking of a deposition by counsel or consultant of the Committee); and

(2) the production of such things;

as it deems necessary to such inquiry.

(b) The Chairman of the Committee on the Judiciary, after consultation with the ranking minority member, may exercise the authority of the Committee under subsection (a).

(c) The Committee on the Judiciary may adopt a rule regulating the taking of depositions by a member, counsel, or consultant of the Committee, including pursuant to subpoena.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. MATSUI) and the gentleman from California (Mr. DREIER) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

#### GENERAL LEAVE

Ms. MATSUI. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Res. 15.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. MATSUI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H. Res. 15 provides for a continuation of the authority provided in H. Res. 1448, as adopted by the House in the 110th Congress. H. Res. 15 states that in continuance of H. Res. 1448, the House directs the Committee on the Judiciary to inquire whether the House should impeach G. Thomas Porteous, a judge of the United States District Court for the Eastern District of Louisiana.

I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, I yield myself such time as I might consume.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, as my good friend from Sacramento, my Rules Committee colleague, has just said, this resolution will allow the Judiciary Committee to continue its very important oversight work by reauthorizing an investigation of G. Thomas Porteous.

The committee's ongoing inquiry into his conduct and the question of whether to pursue impeachment by the House should continue in this 111th Congress. This is a bipartisan ongoing effort. In fact, Mr. Speaker, it is so utterly bipartisan and noncontroversial that our colleagues could very reasonably expect that this measure would have been considered by unanimous

consent. Such widely supported procedural matters usually do not demand a formal debate.

I certainly do hope that today's consideration of this resolution under suspension of the rules is not an indication that the Democratic leadership needs filler time for the schedule. I mean, it would be a little disconcerting to think that they have nothing more important to do in the House, just 1 week before this very, very important inauguration. So whatever the motivation of today's procedure, I do strongly support this measure.

I will say, Mr. Speaker, that as we look at this debate on this resolution that we're considering under suspension of the rules that, as I said, could be considered by unanimous consent, we know that the pressing issue for the American people right now is our effort to get our economy back on track. That's what so much of the talk is going on right here in Washington, and we know that virtually everyone across this country and, frankly, around the world, as we deal with this global economic downturn, virtually everyone is talking about what steps can be taken for us to get our economy back on track.

And it would seem to me that, rather than taking time on a resolution such as this, which could have been considered by unanimous consent, that we should be moving ahead as expeditiously as possible with legislation that will, in fact, get our economy back on track.

That's why I, on opening day, just a week ago today, in fact, I was proud to introduce a trio of bills that I believe very strongly, Mr. Speaker, will play a key role in getting our economy back on track.

The first bill is known as the Fair and Simple Tax Plan. We all know about the complexity of the Internal Revenue code, and we regularly hear from our constituents about the level of frustration. And we all know that it is very time consuming and costly to deal with this complex code.

The Fair and Simple Tax Plan is a package that I was privileged to work with the former Mayor of New York, Rudy Giuliani; former nominee for Governor in California, Bill Simon; former economic adviser to President George H.W. Bush, Michael Boskin at Stanford University, and several others. It is a plan, Mr. Speaker, that would take the six tax rates that we have today and compress them down to three rates. The top rate, Mr. Speaker, would be 10 percent on the first \$40,000 in income, 15 percent on income between \$40 and \$150,000, and a top rate of 30 percent on all income above \$150,000.

Now, I believe that that kind of rate reduction would increase compliance and stimulate very important economic growth that the American people know is desperately needed as we deal with these tough economic times.

This measure also has some other very important components that would

take the complex Internal Revenue code and bring it down to a single page, one page. It does maintain, Mr. Speaker, some important provisions, like the ability for the American taxpayer to deduct the interest on their home mortgage; the ability, and we talked about the resolution earlier, encouraging volunteerism; the ability to continue to deduct the charitable contributions that people make as we encourage this level of volunteerism. Very important.

It also maintains the important child credit and the provisions that have existed. And it expands incentives for retirement, and it includes a \$15,000 exclusion to deal with the challenge that we have with health care. And that \$15,000 could be utilized for the purchase of health insurance or direct health care costs, because we know what a pressing need that is that exists today.

It also is important, if we're going to get our economy back on track, Mr. Speaker, and I wish that we were having a full debate on this issue right now, for us to, I believe, completely eliminate the inheritance tax, the so-called death tax.

When you see people having to sell businesses, to sell homes, simply to comply with the Internal Revenue code, and I know that with that death tax, I believe that completely repealing that, nailing the coffin on the death tax is something that is very important.

We also know, and today we got the news about the fact that we've seen an actual narrowing of the trade imbalance, we also know that one of the important things for us to do is to deal with the challenge of jobs leaving the United States and going overseas. And so that's why the Fair and Simple Tax Plan also reduces the top tax rate on job creators from 35 percent to 25 percent, and economists across the board have recognized that that would go a long way towards creating good jobs right here in the United States of America.

We also know that the tax on capital has been very, very high and people are living with the threat of it possibly going up. And so the Fair and Simple Tax Plan brings about a reduction to 15 percent of that tax on capital gains. And not many people are witnessing capital gains at this point, but as we seek to get our economy back on track, I believe it's very important and that would be a key to helping us in our effort to do that.

So this is, again, a very simple plan that I believe could dramatically stimulate economic growth and get to the kind of permanence that we need.

I will say that I heard some remarks being made by our distinguished colleague, the chairman of the Senate Budget Committee, Mr. CONRAD, in which he was referring to some of the concerns that he's had with this massive economic stimulus bill that is about to come before us. And one of the

concerns that he raised as he talked about it being timely and targeted, that we—and temporary, those three Ts—that we do everything we can to ensure that. And he pointed to the fact that the notion of dramatically extending and making permanent the unemployment insurance would not be temporary. Making permanent COBRA provisions would not be temporary. Those are two issues that our colleague, Mr. CONRAD, has raised as concerns.

So I think that there's a lot of controversy swirling around this so-called economic stimulus package, and I think that if we want it to be timely and temporary, these government spending programs, we need to spend time and effort focused on how we can permanently, permanently get our economy back on track.

I mentioned the first of the trio of bills that I introduced a week ago today, Mr. Speaker. The second one is dealing with an important sector of our economy which we all know has played a key role in the downturn through which we're now going, and that is the housing industry. And we've seen huge sums of money pushed toward the housing industry right now, and I believe that one of the things that we need to do is to reward responsible behavior.

Now, unfortunately, government policy has encouraged people to purchase homes with zero down, and have interest rates that are extraordinarily low; basically turning the home ownership, something that we very much want to encourage, into little more than homes into little more than rental units, creating incentive for people to walk away from them.

So the second bill that I introduced, Mr. Speaker, is designed to incentivize people to responsibly have equity in their homes. One of the problems that we found is that as we see this credit crunch, it's been difficult for people to have what is now necessary for a down payment for those homes. And so the measure that I introduced, which, again, will encourage people not to walk away from their home and have equity in it, provides a \$2,000 credit if one provides a, establishes a 5 percent down payment, a \$5,000 credit if they have a 10 percent down payment, and a \$10,000 tax credit if they will put 15 percent down.

Now, let's think about that. I mean, if someone puts 10 percent down on a \$200,000 home, they automatically have \$20,000 in equity and would be much less inclined to abandon that home as we've dealt with the challenges that we face out there.

There is an inventory that needs to be addressed, of housing, that has yet to be purchased. We have neighborhoods that have been emptied, and I believe that this kind of incentive could again take this industry, which has played a role in the economic downturn, and actually, as has historically been the case, play a role in leading us back to economic strength.

And the third measure deals with the other industry, Mr. Speaker, that, as you know very well, we've spent a great deal of time talking about here; the administration has recently taken action on it, and it has to do with the automobile industry.

Now, I will say that I'm not personally one who believes that we should be using the Tax Code to encourage the selection of winners over losers, but we know that both the housing industry and the auto industry have historically been very critical when it comes to moving back to economic strength. And so, having worked with a number of automobile dealers who, frankly, were here in December when we were having the debate in the 110th Congress on this issue, one of the things that was said to me was that we need to make sure that people are encouraged to get off the couch and into the showrooms to look at the purchase of automobiles.

Now, we know, one dealer, a fellow called John Symes, about whom I've spoken here, a 60-year dealership in Southern California in the Pasadena area, a number of dealerships, has said that historically the ability to deduct the interest on automobile loans has been very, very helpful. Well, I don't know that we should go back to that. So, instead, the third bill that I introduced on this, Mr. Speaker, would do the following:

We basically are saying that today we know that the sales tax, both State and local sales tax in States has been very high, and so we called for a credit that would allow an offset for the State and local sales tax to encourage people, again, to get into the showrooms to purchase automobiles, regardless of where those automobiles are from.

I regularly like to say when people say, well, what about American-made cars? And I ask the question somewhat rhetorically, what is an American-made car, Mr. Speaker? Is it a Ford manufactured in Canada with Mexican-made parts, or is it a BMW manufactured in South Carolina with American-made parts?

And so I believe it is important for us to ensure that any automobile, any automobile would, in fact, qualify for this provision. So if someone's buying a \$20,000 automobile and the sales tax is 8 percent, that would be \$1,600 right off the top. And we set that at the sales tax rate for January 1 of 2009.

Both the housing and the automobile provisions, Mr. Speaker, apply for a 2-year period of time during which I'm convinced we can, in fact, see our economy grow.

□ 1515

The reason that I have raised these issues, Mr. Speaker, is that I believe, as we deal with a resolution like this one that could be brought up under unanimous consent, we should, instead, be debating and voting on measures like these three bills that were introduced last week. I know there are a

wide range of other creative ideas that have come from Democrats and Republicans as well as to how we can deal with this.

So I hope very much that we can take on this challenge and that we can ensure that whatever we provide in this economic stimulus package that it is, in fact, going to be a package that will get our economy back on track.

I am very concerned at the reports that we have gotten of massive, massive spending, and I, again, congratulate our colleague Senator CONRAD for pointing to the deficit as being an issue with which we are going to have to contend. If we want to have sustained and not temporary economic growth, I believe the best way that we can do that is to take steps to encourage greater and greater and greater private-sector growth in our economy.

So, Mr. Speaker, as I said, I am in support of this resolution. I hope very much that we can move ahead with it so that we will be able to deal with the pressing challenges that the American people have sent us here to address.

With that, I yield back the balance of my time.

Ms. MATSUI. Mr. Speaker, I urge the support of this resolution.

Mrs. SMITH of Texas. Mr. Speaker, I am pleased to support H. Res. 15, which I co-sponsored with Chairman CONYERS. This resolution provides continued authorization for an inquiry into whether U.S. District Judge G. Thomas Porteous should be impeached.

The Constitution reserves the exclusive power of impeachment to the House of Representatives and the exclusive power to try all impeachments in the Senate. Any "civil officer" of the United States, including Federal judges, shall be removed from office if impeached and convicted of "treason, bribery, and other high crimes and misdemeanors."

Only 13 Federal judges have been impeached during the past 219 years of our constitutional history. The House has exercised this prerogative sparingly in deference to judicial independence, one of the cornerstones of our republic.

Chairman CONYERS and I concluded last year that there is sufficient reason to initiate an impeachment inquiry regarding Judge G. Thomas Porteous, Jr., who was appointed to the U.S. District Court for the Eastern District of Louisiana in 1994.

The basis for this resolution was largely developed by a Special Committee of the Judicial Council of the Fifth Circuit. The findings of the Fifth Circuit were endorsed by the U.S. Judicial Conference, which notified the House of Representatives on June 18, 2008, of its determination that impeachment proceedings may be warranted.

The materials submitted to the Judiciary Committee by the Judicial Conference are expansive and thorough. This led us to begin an impeachment inquiry last Congress pursuant to H. Res. 1448. However, our work is not yet complete. The resolution before us today is nearly identical to H. Res. 1448 and allows us to continue our investigation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H. Res. 15, authorizing and directing the Committee on the Judiciary to inquire whether the House

should impeach G. Thomas Porteous, a judge of the United States District Court for the Eastern District of Louisiana. I encourage all of my colleagues to support this resolution authorizing and directing the Judiciary to inquire into the matters concerning Judge Porteous and let it be a signal that this Congress is interested in understanding what truly transpired regarding the Judge in a bipartisan and impartial manner.

Judge Porteous was a United States District Judge for Louisiana, and had been a judge of the Louisiana Judicial District Court from 1984 before being appointed to the U.S. District Court for the Eastern District of Louisiana in 1994 by President Bill Clinton.

Judge Porteous is well-known for his stance upholding the Constitution's separation of church and state and his judgments in defense of the first amendment right to free speech. He has controversially ruled in several landmark cases against the State, including one 2002 case in which he ruled that the State of Louisiana was illegally using Federal money to promote religion in its abstinence-only sex education programs. He ordered the State to stop giving money to individuals or organizations that "convey religious messages or otherwise advance religion" with tax dollars. He said there was ample evidence that many of the groups participating in the Governor's Program on Abstinence were "furthering religious objectives."

Also, in 2002, Judge Porteous overturned a Federal ban on rave paraphernalia such as glowsticks, pacifiers, and dust masks, which are used at rave, electronic music concerts, where the use of Ecstasy is common.

In 2001, Judge Porteous filed for bankruptcy, which led to revelations in the press about his private life, specifically the fact that he was alleged to have had close ties with local bail bond magnate Louis Marcotte III, at the center of a corruption probe, which has more recently led to his being the subject of investigation himself by Federal investigators. In May 2006, Judge Porteous, beset by the recent loss of his wife and still under investigation by a Federal grand jury, was granted temporary medical leave and began a 6-month furlough from the Federal bench.

On June 18, 2008, the Judicial Conference of the United States transmitted a certificate to the Speaker of the U.S. House of Representatives expressing the Conference's determination that consideration of impeachment of Judge Porteous might be warranted. The certificate stated that there was substantial evidence that Judge Porteous "repeatedly committed perjury by signing false financial disclosure forms under oath which concealed cash and things of value that he solicited and received from lawyers appearing in litigation before him. The certificate listed a series of "abuses" that constituted an abuse of judicial office in violation of the Canons of the Code of Conduct for United States Judges.

Late last year, I was selected to be one of the members of the House Judiciary Taskforce that will investigate Judge Porteous. Representatives ADAM SCHIFF and BOB GOODLATTE were designated as chair and ranking member to lead the taskforce conducting the inquiry.

H. Res. 15 authorizes and directs the Committee on the Judiciary to inquire whether the House should impeach Judge Porteous. The resolution provides that the taskforce may, in

connection with the inquiry under this resolution, take affidavits and depositions by a member, counsel, or consultant of the committee, pursuant to notice or subpoena.

Moreover, the resolution provides that there shall be paid out of the applicable accounts of the House such sums as may be necessary to assist the committee on the Judiciary in conducting the inquiry under this resolution. The committee is authorized to require by subpoenas or otherwise, the (1) the attendance and testimony of any person and (2) the production of such things as it deems necessary for the inquiry. Lastly, the resolution provides that the Committee may adopt a rule regulating the taking of depositions by a member, counsel, or consultant of the Committee.

By bringing this resolution to the floor, we as Members of Congress demonstrate that we are concerned about taking the moral high ground and are concerned enough to investigate wrongdoing and allegations thereof when it affects anyone in a bipartisan manner—be the accused a Democrat or Republican. This resolution is an important first step to the beginning days of an administration that staked its campaign on change. Let us usher in change. I urge my colleagues to support this resolution.

Ms. MATSUI. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. MATSUI) that the House suspend the rules and agree to the resolution, H. Res. 15, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 3 o'clock and 17 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LARSEN of Washington) at 6 o'clock and 30 minutes p.m.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

House Resolution 41, by the yeas and nays;

House Resolution 50, by the yeas and nays;

House Resolution 43, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

#### SUPPORTING THE GOALS AND IDEALS OF NATIONAL MENTORING MONTH 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 41, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HINOJOSA) that the House suspend the rules and agree to the resolution, H. Res. 41.

The vote was taken by electronic device, and there were—yeas 411, nays 0, not voting 21, as follows:

[Roll No. 11]

YEAS—411

Abercrombie	Carter	Forbes
Ackerman	Cassidy	Fortenberry
Aderholt	Castle	Foster
Adler (NJ)	Castor (FL)	Fox
Akin	Chaffetz	Frank (MA)
Altmire	Chandler	Franks (AZ)
Andrews	Childers	Frelinghuysen
Arcuri	Clarke	Fudge
Austria	Clay	Garrett (NJ)
Baca	Cleaver	Gerlach
Bachmann	Clyburn	Giffords
Bachus	Coble	Gillibrand
Baird	Coffman (CO)	Gingrey (GA)
Baldwin	Cohen	Gonzalez
Barrow	Cole	Goodlatte
Bartlett	Conaway	Gordon (TN)
Barton (TX)	Connolly (VA)	Granger
Bean	Conyers	Graves
Becerra	Cooper	Grayson
Berkley	Costa	Green, Al
Berry	Costello	Griffith
Biggart	Courtney	Guthrie
Bilbray	Crenshaw	Gutierrez
Bilirakis	Crowley	Hall (NY)
Bishop (GA)	Cuellar	Hall (TX)
Bishop (NY)	Culberson	Halvorson
Blackburn	Cummings	Hare
Blunt	Dahlkemper	Harman
Boccheri	Davis (AL)	Harper
Boehner	Davis (CA)	Hastings (FL)
Bonner	Davis (IL)	Hastings (WA)
Bono Mack	Davis (KY)	Heinrich
Boozman	Davis (TN)	Heller
Boren	Deal (GA)	Hensarling
Boswell	DeFazio	Herge
Boucher	DeGette	Higgins
Boustany	Delahunt	Hill
Boyd	DeLauro	Himes
Brady (PA)	Dent	Hinchee
Brady (TX)	Diaz-Balart, L.	Hinojosa
Bralley (IA)	Diaz-Balart, M.	Hirono
Bright	Dicks	Hodes
Broun (GA)	Dingell	Hoekstra
Brown (SC)	Doggett	Holden
Brown, Corrine	Donnelly (IN)	Holt
Brown-Waite,	Doyle	Hoyer
Ginny	Dreier	Hunter
Buchanan	Driehaus	Inglis
Burgess	Duncan	Insole
Burton (IN)	Edwards (MD)	Israel
Butterfield	Edwards (TX)	Issa
Buyer	Ehlers	Jackson (IL)
Calvert	Ellison	Jackson-Lee
Camp	Ellsworth	(TX)
Campbell	Emerson	Jenkins
Cantor	Engel	Johnson (GA)
Cao	Eshoo	Johnson (IL)
Capito	Etheridge	Johnson, E. B.
Capps	Fallin	Johnson, Sam
Capuano	Farr	Jones
Cardoza	Fattah	Jordan (OH)
Carnahan	Filner	Kagen
Carney	Flake	Kanjorski
Carson (IN)	Fleming	Kaptur

Kennedy	Miller (NC)	Schakowsky
Kildee	Miller, George	Schauer
Kilpatrick (MI)	Minnick	Schiff
Kilroy	Mitchell	Schmidt
Kind	Mollohan	Schock
King (IA)	Moore (KS)	Schrader
King (NY)	Moore (WI)	Schwartz
Kingston	Moran (VA)	Scott (GA)
Kirk	Murphy (CT)	Scott (VA)
Kirkpatrick (AZ)	Murphy, Patrick	Sensenbrenner
Kissell	Murphy, Tim	Serrano
Klein (FL)	Murtha	Sessions
Kline (MN)	Myrick	Sestak
Kosmas	Nadler (NY)	Shadegg
Kratovil	Napolitano	Shea-Porter
Kucinich	Neal (MA)	Sherman
Lamborn	Neugebauer	Shimkus
Lance	Nunes	Shuler
Langevin	Nye	Shuster
Larsen (WA)	Oberstar	Simpson
Larson (CT)	Obey	Sires
Latham	Olson	Skelton
LaTourette	Olver	Slaughter
Latta	Ortiz	Smith (NE)
Lee (CA)	Pallone	Smith (NJ)
Lee (NY)	Pascarell	Smith (TX)
Levin	Pastor (AZ)	Smith (WA)
Lewis (CA)	Paul	Space
Lewis (GA)	Paulsen	Speier
Linder	Payne	Spratt
Lipinski	Pence	Stark
LoBiondo	Perlmutter	Stearns
Loeb sack	Perriello	Stupak
Lofgren, Zoe	Peters	Sutton
Lowey	Peterson	Tanner
Lucas	Petri	Tauscher
Luetkemeyer	Pingree (ME)	Taylor
Lujan	Pitts	Teague
Lummis	Platts	Terry
Lungren, Daniel	Poe (TX)	Thompson (CA)
E.	Pollis (CO)	Thompson (MS)
Lynch	Pomeroy	Thompson (PA)
Mack	Posey	Thornberry
Maffei	Price (GA)	Tiahrt
Maloney	Price (NC)	Tiberi
Manzullo	Putnam	Tierney
Marchant	Radanovich	Titus
Markey (CO)	Rahall	Tonko
Markey (MA)	Rangel	Towns
Marshall	Rehberg	Tsongas
Matheson	Reichert	Turner
Matsui	Reyes	Upton
McCarthy (CA)	Richardson	Van Hollen
McCarthy (NY)	Rodriguez	Velázquez
McCaul	Roe (TN)	Walden
McClintock	Rogers (AL)	Walz
McCollum	Rogers (KY)	Wasserman
McCotter	Rogers (MI)	Schultz
McDermott	Rooney	Waters
McGovern	Ros-Lehtinen	Watt
McHenry	Roskam	Waxman
McHugh	Ross	Weiner
McIntyre	Rothman (NJ)	Welch
McKeon	Roybal-Allard	Westmoreland
McMahon	Royce	Wexler
McMorris	Ruppersberger	Whitfield
Rodgers	Rush	Wilson (OH)
McNerney	Ryan (OH)	Wilson (SC)
Meek (FL)	Ryan (WI)	Wittman
Meeke (NY)	Salazar	Wolf
Melancon	Sánchez, Linda	Woolsey
T.	T.	Wu
Mica	Sanchez, Loretta	Yarmuth
Michaud	Sarbanes	Young (AK)
Miller (FL)	Scalise	Young (FL)
Miller (MI)		

#### NOT VOTING—21

Alexander	Green, Gene	Snyder
Barrett (SC)	Grijalva	Solis (CA)
Berman	Herseth Sandlin	Souder
Bishop (UT)	Honda	Sullivan
Blumenauer	Massa	Visclosky
Gallegly	Moran (KS)	Wamp
Gohmert	Rohrabacher	Watson

□ 1859

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

**SWEARING IN OF MEMBER**

The SPEAKER. Will the Representative-elect who wishes to be sworn in please come to the well.

Representative-elect GARY G. MILLER of California appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear or affirm that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations. You are now a Member of the 111th Congress.

**ANNOUNCEMENT BY THE SPEAKER**

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath of office to the gentleman from California (Mr. GARY G. MILLER), the whole number of the House is 434.

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

The SPEAKER pro tempore (Mr. LARSEN of Washington). Without objection, 5-minute voting will continue.

There was no objection.

**HONORING THE LIFE OF CLAIRBORNE PELL**

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 50, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HINOJOSA) that the House suspend the rules and agree to the resolution, H. Res. 50.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 415, nays 0, not voting 18, as follows:

[Roll No. 12]  
YEAS—415

Abercrombie	Barrow	Bocchieri
Ackerman	Bartlett	Boehner
Aderholt	Barton (TX)	Bonner
Adler (NJ)	Bean	Bono Mack
Akin	Becerra	Boozman
Alexander	Berkley	Boren
Altmire	Berman	Boswell
Andrews	Berry	Boucher
Arcuri	Biggart	Boustany
Austria	Bilbray	Boyd
Baca	Bilirakis	Brady (PA)
Bachmann	Bishop (GA)	Brady (TX)
Bachus	Bishop (NY)	Braley (IA)
Baird	Blackburn	Bright
Baldwin	Blunt	Broun (GA)

Brown (SC)	Gonzalez	Markey (CO)
Brown, Corrine	Goodlatte	Markey (MA)
Brown-Waite,	Gordon (TN)	Marshall
Ginny	Granger	Matheson
Buchanan	Graves	Mathsui
Burgess	Grayson	McCarthy (CA)
Burton (IN)	Green, Al	McCarthy (NY)
Butterfield	Griffith	McCaul
Buyer	Guthrie	McClintock
Calvert	Gutierrez	McCollum
Camp	Hall (NY)	McCotter
Campbell	Hall (TX)	McDermott
Cantor	Halvorson	McGovern
Cao	Hare	McHenry
Capito	Harman	McHugh
Capps	Harper	McIntyre
Capuano	Hastings (FL)	McKeon
Cardoza	Hastings (WA)	McMahon
Carnahan	Heinrich	McMorris
Carney	Heller	Rodgers
Carson (IN)	Hensarling	McNerney
Carter	Herger	Meek (FL)
Cassidy	Higgins	Melancon
Castle	Hill	Mica
Castor (FL)	Himes	Michaud
Chaffetz	Hinchey	Miller (FL)
Chandler	Hinojosa	Miller (MI)
Childers	Hirono	Miller (NC)
Clarke	Hodes	Miller, Gary
Clay	Hoekstra	Miller, George
Cleaver	Holden	Minnick
Clyburn	Holt	Mitchell
Coble	Honda	Mollohan
Coffman (CO)	Hoyer	Moore (KS)
Cohen	Hunter	Moore (WI)
Cole	Inglis	Moran (VA)
Conaway	Inslee	Murphy (CT)
Connolly (VA)	Israel	Murphy, Patrick
Conyers	Issa	Murphy, Tim
Cooper	Jackson (IL)	Murtha
Costa	Jackson-Lee	Myrick
Costello	(TX)	Nadler (NY)
Courtney	Jenkins	Napolitano
Crenshaw	Johnson (GA)	Neal (MA)
Crowley	Johnson (IL)	Neugebauer
Cuellar	Johnson, E. B.	Nunes
Culberson	Johnson, Sam	Nye
Cummings	Jones	Oberstar
Dahlkemper	Jordan (OH)	Obey
Davis (AL)	Kagen	Olson
Davis (CA)	Kanjorski	Olver
Davis (IL)	Kaptur	Ortiz
Davis (KY)	Kennedy	Pallone
Davis (TN)	Kildee	Pascarell
Deal (GA)	Kilpatrick (MI)	Pastor (AZ)
DeFazio	Kilroy	Paul
DeGette	Kind	Paulsen
Delahunt	King (IA)	Payne
DeLauro	King (NY)	Pence
Dent	Kingston	Perlmutter
Diaz-Balart, L.	Kirk	Perriello
Diaz-Balart, M.	Kirkpatrick (AZ)	Peters
Dicks	Kissell	Peterson
Dingell	Klein (FL)	Petri
Doggett	Kline (MN)	Pingree (ME)
Donnelly (IN)	Kosmas	Pitts
Doyle	Kratovil	Platts
Dreier	Kucinich	Poe (TX)
Driehaus	Lamborn	Polis (CO)
Duncan	Lance	Pomeroy
Edwards (MD)	Langevin	Posey
Edwards (TX)	Larsen (WA)	Price (GA)
Ehlers	Larsen (CT)	Price (NC)
Ellison	Latham	Putnam
Ellsworth	LaTourette	Radanovich
Emerson	Latta	Rahall
Engel	Lee (CA)	Rangel
Eshoo	Lee (NY)	Rehberg
Etheridge	Levin	Reichert
Fallin	Lewis (CA)	Reyes
Farr	Lewis (GA)	Richardson
Fattah	Linder	Rodriguez
Filner	Lipinski	Roe (TN)
Flake	LoBiondo	Rogers (AL)
Fleming	Loebsock	Rogers (KY)
Forbes	Lofgren, Zoe	Rogers (MI)
Fortenberry	Lowey	Rooney
Foster	Lucas	Ros-Lehtinen
Fox	Luetkemeyer	Roskam
Frank (MA)	Lujan	Ross
Franks (AZ)	Lummis	Rothman (NJ)
Frelinghuysen	Lungren, Daniel	Roybal-Allard
Fudge	E.	Royce
Garrett (NJ)	Lynch	Ruppersberger
Gerlach	Mack	Rush
Giffords	Maffei	Ryan (OH)
Gillibrand	Maloney	Ryan (WI)
Gingrey (GA)	Manzullo	Salazar
Gohmert	Marchant	

Sanchez, Linda	Slaughter	Tsongas
T.	Smith (NE)	Turner
Sanchez, Loretta	Smith (NJ)	Upton
Sarbanes	Smith (TX)	Van Hollen
Scalise	Smith (WA)	Velázquez
Schakowsky	Space	Walden
Schauer	Speier	Walz
Schiff	Spratt	Wasserman
Schmidt	Stark	Schultz
Schock	Stearns	Waters
Schrader	Stupak	Watt
Schwartz	Sutton	Waxman
Scott (GA)	Tanner	Weiner
Scott (VA)	Tauscher	Welch
Sensenbrenner	Taylor	Westmoreland
Serrano	Teague	Wexler
Sessions	Terry	Whitfield
Sestak	Thompson (CA)	Wilson (OH)
Shadegg	Thompson (MS)	Wilson (SC)
Shea-Porter	Thompson (PA)	Wittman
Sherman	Thornberry	Wolf
Shimkus	Tiahrt	Woolsey
Shuler	Tiberi	Wu
Shuster	Tierney	Yarmuth
Simpson	Titus	Young (AK)
Sires	Tonko	Young (FL)
Skelton	Towns	

**NOT VOTING—18**

Barrett (SC)	Herseth Sandlin	Solis (CA)
Bishop (UT)	Massa	Souder
Blumenauer	Meeks (NY)	Sullivan
Gallegly	Moran (KS)	Visclosky
Green, Gene	Rohrabacher	Wamp
Grijalva	Snyder	Watson

□ 1910

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

**RECOGNIZING THE EFFORTS OF THOSE WHO SERVE THEIR COMMUNITIES ON MARTIN LUTHER KING DAY**

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 43, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HINOJOSA) that the House suspend the rules and agree to the resolution, H. Res. 43.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 415, nays 0, not voting 18, as follows:

[Roll No. 13]

YEAS—415

Abercrombie	Berkley	Brady (TX)
Ackerman	Berman	Braley (IA)
Aderholt	Berry	Bright
Adler (NJ)	Biggart	Broun (GA)
Akin	Bilbray	Brown (SC)
Alexander	Bilirakis	Brown, Corrine
Altmire	Bishop (GA)	Brown-Waite,
Andrews	Bishop (NY)	Ginny
Arcuri	Blackburn	Buchanan
Austria	Blunt	Burgess
Baca	Bocchieri	Burton (IN)
Bachmann	Boehner	Butterfield
Bachus	Bonner	Buyer
Baird	Bono Mack	Calvert
Baldwin	Boozman	Camp
Barrow	Boren	Campbell
Bartlett	Boswell	Cantor
Barton (TX)	Boustany	Cao
Bean	Boyd	Capito
Becerra	Brady (PA)	Capps

Capuano Hastings (FL)  
 Cardoza Hastings (WA)  
 Carnahan Heinrich  
 Carney Heller  
 Carson (IN) Hensarling  
 Carter Herger  
 Cassidy Higgins  
 Castle Hill  
 Castor (FL) Himes  
 Chaffetz Hinchey  
 Chandler Hinojosa  
 Childers Hirono  
 Clarke Hodes  
 Clay Hoekstra  
 Cleaver Holden  
 Clyburn Holt  
 Coble Honda  
 Coffman (CO) Hoyer  
 Cohen Hunter  
 Cole Inglis  
 Conaway Inslee  
 Connolly (VA) Israel  
 Conyers Issa  
 Cooper Jackson (IL)  
 Costa Jackson-Lee  
 Costello (TX)  
 Courtney Jenkins  
 Crenshaw Johnson (GA)  
 Crowley Johnson (IL)  
 Cuellar Johnson, E. B.  
 Culberson Jones  
 Cummings Jordan (OH)  
 Dahlkemper Kagen  
 Davis (AL) Kanjorski  
 Davis (CA) Kaptur  
 Davis (IL) Kennedy  
 Davis (KY) Kildee  
 Davis (TN) Kilpatrick (MI)  
 Deal (GA) Kilroy  
 DeFazio Kind  
 DeGette King (IA)  
 Delahunt King (NY)  
 DeLauro Kingston  
 Dent Kirk  
 Diaz-Balart, L. Kirkpatrick (AZ)  
 Diaz-Balart, M. Kissell  
 Dicks Klein (FL)  
 Dingell Kline (MN)  
 Doggett Kosmas  
 Donnelly (IN) Kratovil  
 Doyle Kucinich  
 Dreier Lamborn  
 Driehaus Lance  
 Duncan Langevin  
 Edwards (MD) Larsen (WA)  
 Edwards (TX) Larson (CT)  
 Ehlers Latham  
 Ellison LaTourette  
 Ellsworth Latta  
 Emerson Lee (CA)  
 Engel Lee (NY)  
 Eshoo Levin  
 Etheridge Lewis (CA)  
 Fallin Lewis (GA)  
 Farr Linder  
 Fattah Lipinski  
 Filner LoBiondo  
 Flake Loeb sack  
 Fleming Lofgren, Zoe  
 Forbes Lowey  
 Fortenberry Lucas  
 Foster Luetkemeyer  
 Foxx Luján  
 Frank (MA) Lummis  
 Franks (AZ) Lungren, Daniel  
 Frelinghuysen E.  
 Fudge Lynch  
 Garrett (NJ) Mack  
 Gerlach Maffei  
 Giffords Maloney  
 Gillibrand Manzullo  
 Gingrey (GA) Marchant  
 Gohmert Markey (CO)  
 Gonzalez Markey (MA)  
 Goodlatte Marshall  
 Gordon (TN) Matheson  
 Granger Matsui  
 Graves McCarthy (CA)  
 Grayson McCarthy (NY)  
 Green, Al McCaul  
 Griffith McClintock  
 Guthrie McCollum  
 Gutierrez McCotter  
 Hall (NY) McDermott  
 Hall (TX) McGovern  
 Halvorson McHenry  
 Hare McHugh  
 Harman McIntyre  
 Harper McKeon

McMahon  
 McMorris  
 Rodgers  
 McNeerney  
 Meek (FL)  
 Meeks (NY)  
 Melancon  
 Mica  
 Michaud  
 Miller (FL)  
 Miller (MI)  
 Miller (NC)  
 Miller, Gary  
 Miller, George  
 Minnick  
 Mitchell  
 Mollohan  
 Moore (KS)  
 Moore (WI)  
 Moran (VA)  
 Murphy (CT)  
 Murphy, Patrick  
 Murphy, Tim  
 Murtha  
 Myrick  
 Nadler (NY)  
 Napolitano  
 Neal (MA)  
 Neugebauer  
 Nunes  
 Nye  
 Oberstar  
 Obey  
 Olson  
 Olver  
 Ortiz  
 Pallone  
 Pascrell  
 Pastor (AZ)  
 Paul  
 Paulsen  
 Payne  
 Pence  
 Perlmutter  
 Perriello  
 Peters  
 Peterson  
 Petri  
 Pingree (ME)  
 Pitts  
 Platts  
 Poe (TX)  
 Polis (CO)  
 Pomeroy  
 Posey  
 Price (GA)  
 Price (NC)  
 Putnam  
 Radanovich  
 Rahall  
 Rangel  
 Rehberg  
 Reichert  
 Reyes  
 Richardson  
 Rodriguez  
 Roe (TN)  
 Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Rooney  
 Ros-Lehtinen  
 Roskam  
 Ross  
 Rothman (NJ)  
 Roybal-Allard  
 Royce  
 Ruppersberger  
 Rush  
 Ryan (OH)  
 Ryan (WI)  
 Salazar  
 Sánchez, Linda  
 T.  
 Sanchez, Loretta  
 Sarbanes  
 Scalise  
 Schakowsky  
 Schauer  
 Schiff  
 Schmidt  
 Schock  
 Schrader  
 Schwartz  
 Scott (GA)  
 Scott (VA)  
 Sensenbrenner  
 Serrano  
 Sessions

Sestak  
 Shadegg  
 Shea-Porter  
 Sherman  
 Shimkus  
 Shuler  
 Shuster  
 Simpson  
 Sires  
 Skelton  
 Slaughter  
 Smith (NE)  
 Smith (NJ)  
 Smith (TX)  
 Smith (WA)  
 Space  
 Speier  
 Spratt  
 Stark  
 Stearns  
 Stupak  
 Sutton

Tanner  
 Tauscher  
 Taylor  
 Teague  
 Terry  
 Thompson (CA)  
 Thompson (MS)  
 Thompson (PA)  
 Thornberry  
 Tiahrt  
 Tiberi  
 Tierney  
 Titus  
 Tonko  
 Towns  
 Tsongas  
 Turner  
 Upton  
 Van Hollen  
 Velázquez  
 Walden  
 Walz

Wasserman  
 Schultz  
 Waters  
 Watson  
 Watt  
 Waxman  
 Weiner  
 Welch  
 Westmoreland  
 Wexler  
 Whitfield  
 Wilson (OH)  
 Wilson (SC)  
 Wittman  
 Wolf  
 Woolsey  
 Wu  
 Yarmuth  
 Young (AK)  
 Young (FL)

## 75TH ANNIVERSARY OF THE SUN BOWL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. REYES) is recognized for 5 minutes.

Mr. REYES. Mr. Speaker, I rise today to recognize a special occasion in the American university athletics, the 75th anniversary of the Sun Bowl, a proud tradition in college football that has been hosted in my district of El Paso, Texas.

The Sun Bowl is the second oldest bowl game in the United States and a major national attraction that brings together thousands of loyal college football fans each year to watch teams from the Pac-10, Big 12 and Big East Conferences.

As we celebrate the 75th anniversary of the Sun Bowl, I want to recognize the Sun Bowl Association, the sponsors, and all of the fans from El Paso and throughout the Nation who have made this annual event a tremendous success. In particular, I would like to acknowledge Bernie Olivas, Executive Director of the Sun Bowl Association, and Gerald Rubin, CEO of Helen of Troy, for sponsoring this great event, as well as Joe Valenzuela, Frank Bates and Linda East, current, incoming and past presidents of the Sun Bowl Association Board of Directors.

At its humble beginnings, the Sun Bowl was put together as a fund-raiser by the Kiwanis Club in 1935. The event originated as a small high school matchup and grew into a major nationally televised bowl game in Division I football. As you can see by this first picture, this captured some of the flavor of the history in El Paso that was known then as "the Sun Bowl City."

The first game featured the El Paso High School All-Stars versus the Ranger High School Bulldogs and was played at the El Paso High School stadium, where the All-Star team came from behind to garner a 25-21 victory over the Bulldogs.

The Sun Bowl Association was formed immediately after that successful first game, and a coalition of local El Paso area service clubs, including the Rotary, Lions, Optimist, and the 20-30 Club, joined together to coordinate events around the bowl game every year.

After gathering input from the community, the event was named the Sun Bowl, and the first collegiate game was played in 1936. This game was a match between New Mexico A&M—which is now New Mexico State—and Hardin-Simmons College, and the Sun Bowl has grown from there. In its inception, it was played at the 15,000-seat Kidd Field in 1938 on the campus of what is now the University of Texas at El Paso. The game was moved again in 1963 to our new 30,000-seat Sun Bowl Stadium. And in 1982, the Sun Bowl game took place in the newly expanded Sun Bowl Stadium, with a seating capacity of over 50,000 people. This is a picture of our Sun Bowl Stadium.

### NOT VOTING—18

Barrett (SC) Grijalva Snyder  
 Bishop (UT) Herseth Sandlin Solis (CA)  
 Blumenauer Johnson, Sam Souder  
 Boucher Massa Sullivan  
 Gallegly Moran (KS) Visclosky  
 Green, Gene Rohrabacher Wamp

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HALL of New York) (during the vote). There are 2 minutes remaining in this vote.

□ 1919

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 226

Mr. PENCE. Mr. Speaker, with apologies to the gentleman from California, I would ask unanimous consent that Mr. MIKE THOMPSON be removed as a cosponsor of H.R. 226. His name was errantly added to that bill, and I would like it removed and offer my apologies.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. All Members are reminded that appropriate attire for gentlemen includes a necktie.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain Special Order speeches without prejudice to the resumption of further legislative business.

### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.



Last month, over 49,000 fans attended the 75th Annual Brut Sun Bowl to watch the Oregon State Beavers defeat the Pittsburgh Panthers to become this year's Sun Bowl champion.

The television network, CBS, has been broadcasting the Sun Bowl since 1968, making it the longest continuous broadcast of a post-season football game. The crowd itself of this year's Sun Bowl game also has made history, not so much by the attendance, but for being the largest crowd, according to the Guinness Book of Record, to dance to the Village People's 1978 disco anthem, "YMCA." Here you have a picture of part of the crowd that captures some of the energy and excitement of the 75th Sun Bowl on that day.

To commemorate the 75th anniversary, the Sun Bowl Association added two more names to its "Legends of the Sun Bowl" list. The "Legends of the Sun Bowl" include coaches, players, broadcasters, and longtime volunteers of the Sun Bowl. This year's recipients were Priest Holmes, a 1994 player for the University of Texas, and Craig Silver, a CBS sports commentator from 1983 to 2005. Among other notable "Legends of the Sun Bowl" are the late Pat Tillman, Thurman Thomas, Pat Summerall, and Tony Dorsett, seen here in this final picture showing Tony Dorsett in action in the Sun Bowl Stadium.

□ 1930

Along with my remarks, I would like to submit a copy of the names of the previous legends of the Sun Bowl for inclusion in the RECORD.

#### LEGENDS OF THE SUN BOWL

2008—Priest Holmes—Player, Texas (1994), Craig Silver—CBS Sports (1983–2005)

2007—Cornelius Bennett—Player, Alabama (1983 & 1986), Don James—Coach, Washington (1979 & 1986)

2006—Tony Franklin—Player, Texas A&M (1977), Grant Teaff—Coach, Baylor (1992)

2005—Terry Donahue—Coach, UCLA (1991); CBS Sports (1995), Verne Lundquist—CBS Sports (1988, 1992, 2000–05)

2004—Pat Tillman (Posthumously)—Player, Arizona State (1997), Alex Van Pelt—Player, Pittsburgh (1989)

2003—Ken Heineman—Player, El Paso All-Stars (1935),

2002—Thurman Thomas—Player, Oklahoma State (1987)

2001—John H. Folmer—Administrator, Barry Switzer—Coach, Oklahoma (1981)

2000—Vince Dooley—Coach, Georgia (1964, 1969 & 1985), Derrick Thomas (Posthumously)—Player, Alabama (1986 & 1988)

1999—Hayden Fry—Coach, SMU (1963) and Iowa (1995 & 1997), Jimmy Rogers, Jr.—Administrator

1998—Jesse Whittenton—UTEP (1954 & 1955)

1997—Tom Brookshier—CBS Sports (1973, 1977–1981), Pat Summerall—CBS Sports (1971, 1977–80)

1996—Tony Dorsett—Player, Pittsburgh (1975),

1995—Johnny Majors—Coach, Iowa State (1971), Pittsburgh (1975) and Tennessee (1984)

1994—Harrison Kohl—Administrator, Bill Stevens—Player, UTEP (1965 & 1967), Charley Johnson—Player, New Mexico State (1959 & 1960)

Mr. Speaker, I am proud to highlight this very special event in El Paso, one

that is very important and very much a part of the city's history and folklore. The Sun Bowl is a wonderful opportunity to showcase the natural geographic beauty and the friendly atmosphere that make our community very special. The success of the Sun Bowl is a testament to the hard work of the Sun Bowl Association as well as the numerous community partners and sponsors, and I look forward to many more successful years of this wonderful tradition.

I want to congratulate all the Sun Bowl Association members and our great community for putting on a great show every year.

#### NEW YEAR'S RESOLUTION FOR UNCLE SAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE of Texas. Mr. Speaker, this time of year, we all hear about New Year's resolutions. Some of us make them, some of us make them and break them, and some of us don't even make them. But maybe Uncle Sam needs to make a few New Year's resolutions as we go into 2009. I have six suggestions for Uncle Sam.

The first thing Uncle Sam needs to do is get on a diet and trim down the excess spending and government waste. The government, us, we spend money on everything. There's a philosophy here in Washington, D.C. that the government is the solution to every problem from the time a person's born to the time they die and the government should control all the money and decide how that money should be spent. There's another philosophy that I believe in that government may be the problem and that problems are best solved by individuals. But in any event, we cannot continue to spend and waste the taxpayer money on so many different programs. Uncle Sam needs to go on a diet.

The second thing we need to do is practice what we preach and not be so hypocritical. Recently we had the Big Three auto boys down here in Washington D.C., and we raked them over the coals because they make so much money. We criticized the UAW because they make about \$74 an hour. But yet we get our automatic pay increase and we can't even get a vote on the House floor to rescind that pay increase. Somewhat hypocritical, Mr. Speaker. Uncle Sam needs to practice what it preaches.

The third thing that we need that do is quit spending somebody else's money. You see, the money that we spend, Congress, it's not our money. It belongs to the good folks who sent us up here. We've all seen the big motor homes going down the freeways that have a bumper sticker on the back that says "We are spending our children's inheritance." We kind of think that's funny, but that's what we're doing.

And for the inauguration, Mr. Speaker, I suggest that we get a big sign and put it out here on the Capitol grounds that says "Uncle Sam is spending your children and grandchildren's inheritance" because that's what we're doing. We're spending money that we do not have. And it's the philosophy that government knows better how to spend the taxpayers' money than the taxpayer. And I think that's wrong. We ought to quit spending somebody else's money because we certainly don't have the money and our kids, our grandkids, and our great grandkids now are going to have to pay for the things that we do. Uncle Sam needs to quit spending somebody else's money.

We need to quit rewarding the fat cats and those who live on government handouts. And that covers a lot of folks that they are up here trying to get money from the Federal Government. All the different special interest groups, all the Wall Street fat cats, all those people who live off the government and want something from the government but don't give much to society. The people punished, those are most Americans, the middle class. The middle class always has to pay, and they continue to pay. And it's unfortunate because they pay all the bills while those special interest groups are up here, and they'll be up here next week and the week after with their hand out wanting somebody else's money, wanting Uncle Sam to redistribute the wealth that belongs to the middle class to someone else. And that's just basically wrong.

We talk about stimulating the economy. We need stimulate the economy, but we cannot stimulate the economy by spending more money. That doesn't make sense. We need to spend less money. And one thing we can do, Congress has the power to do, is let those middle class people who pay taxes, who foot the bill for all of this that we do, give everybody that pays taxes a tax break and let them decide how to stimulate the economy instead of us and Uncle Sam trying to make that decision.

We need to reduce our debt. We hear about debt. It's a trillion dollars, give or take a few billion. How much is a trillion dollars? It's a one with twelve zeros behind it. That's how much a trillion is. I can't even write that down. It's a massive amount of money. But, you know, Uncle Sam, we live in a credit card government. We just borrow the money. That's the society that we live in, and the government does the same thing. We just borrow the money, probably from the Chinese, pay interest to the Chinese, let them own our country rather than the American taxpayer. We need to certainly reduce our debt. We cannot continue to spend, borrow, tax our way into prosperity. It just won't work.

And lastly, number six, we need to do what most Americans do when they budget. We have to have a budget. Most Americans figure out, well, I'm going

to get this amount of money, cutting out the taxes, and then I can spend it on this. We do just the opposite. We decide how to spend money, oh, and then we'll just get the money. We'll tax it or go into debt. Uncle Sam needs to budget like other Americans.

These are some considerations and some New Year's resolutions for Uncle Sam. I hope we impose a few of those. I think it's time we stop the credit card government.

And that's just the way it is.

#### IN RECOGNITION OF SENATOR MITCH MCCONNELL'S YEARS OF SERVICE IN SENATE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky (Mr. CHANDLER) is recognized for 5 minutes.

Mr. CHANDLER. Mr. Speaker, I rise today in recognition of the now longest-serving Kentucky Senator in the history of the United States Senate. This is truly a historic milestone for both the Commonwealth of Kentucky and Senator MITCH MCCONNELL.

Recently, Senator MCCONNELL celebrated 25 years in the United States Senate, surpassing the great Senator Wendell Ford's previous record. By no means is this a small accomplishment, as our State has been the home to such noted Members of the Senate as Henry Clay, John J. Crittenden, Alben Barkley, and John Sherman Cooper, just to name a few.

The Senator did not become the influential man that he is today without hard work, dedication, and determination. He started his career as an intern on Capitol Hill, moved to legislative assistant, eventually deputy assistant attorney general under President Ford, to County Judge-Executive in Jefferson County, the largest county in our State, all before being elected by the people of Kentucky to serve in the United States Senate in 1984.

He led his classmates as student body president in college and then went on to be the president of the Student Bar Association in law school. He has garnered the respect of his peers for years; so it comes as no surprise that he has risen to be the leader of his party in the Senate, an accomplishment only one other Kentuckyan in history has ever achieved.

Parties aside, Senator MCCONNELL has fought for what he believes in with the same dedication and fervor as he did when fighting polio in his early childhood. He can point to a number of achievements, such as aiding struggling Kentucky tobacco farmers by orchestrating the tobacco buyout and providing significant aid to Kentucky's colleges and universities. His influence also extends outside the Congress and the Commonwealth with his work on the Appropriations, Agriculture, and Rules Committees, opposing dictators in Myanmar and fighting for human rights in Egypt and Cambodia among others. Like Senator Wendell Ford,

Senator MCCONNELL won his first statewide election by a small margin, but since that time he has become a mainstay in Kentucky.

Senator MCCONNELL and I are both students of history, and regardless of political differences, and we have a few of those, I believe it's important to recognize his truly outstanding achievements.

Mr. Speaker, today I ask the House to join me in recognizing the accomplishments of the distinguished gentleman from Kentucky, Senator MITCH MCCONNELL.

#### STATEMENT ON A PRESIDENTIAL COMMUTATION FOR FORMER U.S. BORDER PATROL AGENTS RAMOS AND COMPEAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES. Mr. Speaker, before President Bush leaves office next week, he has the power to correct a terrible injustice.

Over the past 2 years, Members of Congress have written to the President, as a group and individually, asking him to commute the sentences of imprisoned U.S. Border Patrol Agents Ramos and Compean.

It is well known that these border agents were convicted and sentenced to 11 and 12 years in prison for shooting and wounding a Mexican drug smuggler who brought \$1 million worth of marijuana across the U.S. border in 2005. This Saturday, January 17 of 2009, will mark the beginning of the agents' 3rd year in Federal prison.

On November 24, 2008, President Bush granted 14 pardons and two commutations. Clemency was granted to individuals convicted of crimes such as drug conspiracy, tax evasion, poisoning bald eagles, dumping hazardous waste, bank embezzlement, and theft of government property.

On December 22, 2008, the President issued 19 additional pardons and one commutation. Unfortunately, Mr. Speaker, Ramos and Compean have not made the list.

With the help of Lou Dobbs and countless other news outlets, Americans across this Nation have learned of the unjust prosecution of these two men who were doing their job to protect our border. Since the agents' convictions, the White House has received thousands of phone calls from outraged citizens and letters sent by Members of Congress on both sides of the political aisle.

On November 20 of 2008, I joined Congressman BILL DELAHUNT, DANA ROHRABACHER, and others in a letter to pardon Attorney Ronald Rodgers, which outlined the reasons for our request. And most recently on December 11, 2008, I wrote the President that he commute the agents' sentences before they have to spend another Christmas in Federal prison, and, Mr. Speaker, I submit the letter for the RECORD.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, December 11, 2008.

Hon. GEORGE W. BUSH,  
*The White House,*  
*Washington, DC.*

DEAR MR. PRESIDENT: I am writing to express my deep disappointment that the 14 pardons and two commutations you granted on November 24, 2008, did not include commutations for imprisoned U.S. Border Patrol agents Ignacio Ramos and Jose Alonso Compean. Instead, clemency was granted to those convicted of crimes such as drug conspiracy, tax evasion, poisoning bald eagles, dumping hazardous waste, bank embezzlement and theft of government property.

Mr. President, this week I opened a Christmas card which pictured two beautiful families with three children each. I was deeply saddened when I realized these were photos of the Ramos and Compean families—who will face another Christmas with husbands and fathers locked away in federal prison if you fail to intervene on their behalf. Knowing that it has become customary during the final days of a president's term to grant pardons and commutations in criminal cases, I urge you to take the time to personally review the prosecution of agents Ramos and Compean. I am confident the facts of their case will lead you to the same conclusion countless American citizens have already reached: there are no individuals more worthy of presidential commutations than agents Ramos and Compean. The facts of the case will show—as Judge E. Grady Jolly stated on December 3, 2007, during the agents' appeal—"the government overreacted here \* \* \* for some reason, this one got out of hand." By attempting to apprehend an illegal alien drug smuggler, agents Ramos and Compean were enforcing our laws—not breaking them. Simply put, the indictments against these men were unjustified.

As countless Americans and many in Congress have brought to your attention over the past two years, agents Ramos and Compean were convicted and sentenced to 11 and 12 years respectively for shooting and wounding a Mexican drug smuggler who brought 743 pounds of marijuana across the U.S. border in 2005. Both men entered prison on January 17, 2007, and have served nearly two years of their sentences. Since the agents' convictions, your office has received thousands of phone calls from concerned citizens and numerous letters from members of Congress on both sides of the aisle. Most recently, on November 13, 2008, I wrote a letter urging you to commute the agents' sentences to time served. On November 20, 2008, I also joined Congressmen Bill Delahunt, Dana Rohrabacher and others in a letter to Pardon Attorney Ronald Rodgers which outlined the rationale for this request.

Many disturbing details of the Ramos and Compean case have garnered national attention and raised serious concerns over the lack of fairness in the proceedings against these two men—including the prosecution's efforts to seek out and offer immunity to a habitual Mexican drug smuggler, a sealed indictment of the smuggler's subsequent drug offenses and insufficient proof of whether or not the smuggler was unarmed, as he claimed at trial. All of these factors strongly call into question whether justice was served.

Among the most serious matters warranting your consideration is the U.S. Attorney's decision to charge Ramos and Compean with violations of 18 U.S.C. §924(c)—which pertains to the use of a firearm during and in relation to the commission of a crime of violence and carries a mandatory 10-year sentence. Any failure by the agents to report

the shooting of the drug smuggler constitutes an administrative error that should have been addressed. However, the application of 18 U.S.C. §924(c) to two U.S. Border Patrol agents in lawful possession of their firearms appears grossly inappropriate. Because agents Ramos and Compean were required to carry firearms during the course of their duties, I urge you to consider commuting this 10-year mandatory minimum sentence enhancement.

Mr. President, the end of your term is quickly approaching and time is running out for you to heed the calls of the American people and reverse the grave injustice committed against agents Ramos and Compean. No useful purpose is served by the continued incarceration of these distinguished law enforcement officers. During this Christmas season, a time of peace and thanksgiving for the birth of our Savior Jesus Christ, I urge you to open your heart to the pleas of the American people and commute the sentences of these two Hispanic-American heroes.

Sincerely,

WALTER B. JONES,  
Member of Congress.

A response from the White House said that the agents' requests for commutation "are receiving a careful and fair review." If the President takes the time to personally review the agents' case, I am confident the facts will lead him to the same conclusion that the majority of Americans have already reached: The indictments against these men were unjustified.

The President should carefully consider one of the most troubling aspects of this case: The agents were charged under a statute intended for violent criminals carrying guns, not for law enforcement officers acting in the line of duty. Because the border agents were required to carry firearms during the course of their duties, I urge the President to commute the 10-year mandatory sentence for these charges.

Mr. Speaker, time is running out for the President to reverse this grave injustice committed against Ramos and Compean. I pray that he will open his heart to the pleas of the American people and commute the sentences of these two deserving men.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### IT'S TIME TO GIVE DIPLOMACY A CHANCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. A breath of fresh air filled the Capitol this morning. It happened during the confirmation hearings for HILLARY CLINTON. The Secretary of State-designate in her testimony said that "diplomacy will be the vanguard of foreign policy" in the Obama administration.

□ 1945

This is exactly what the American people have been waiting 8 long years to hear. The current administration never used diplomacy, and the results have been devastating for us and for the world. The occupation of Iraq hasn't made us any safer. It has cost over \$1 trillion so far, helping to put our economy into a deep recession. It has devastated our reputation in the world. All of this is clear to just about everyone except our current leaders in the White House.

At his press conference yesterday, President Bush insisted that the occupation of Iraq hasn't damaged America's moral standing in the world. But his administration's policy of shooting first, asking questions later, has badly damaged our Nation's moral authority.

The use of torture has damaged it even more. Yesterday President Bush called the human rights abuses at Abu Ghraib a disappointment. But in recent weeks we have seen convincing evidence that Abu Ghraib was the result of deliberate administration policy. Talk about disappointment.

In February of 2002, the President signed an order stating that the Geneva Conventions did not apply to members of al Qaeda or the Taliban. Then high-ranking American officials took a series of actions that made torture a part of our interrogation practices in Iraq and elsewhere. Former Defense Secretary Donald Rumsfeld was one of the officials who gave his stamp of approval.

A bipartisan report issued by the Senate Armed Services Committee on December 11 documented this illegal action and how these actions came about. According to the committee, the authorization of aggressive interrogation techniques by senior officials conveyed the message that it was okay to retreat and degrade.

Then a week after the committee issued its report, Vice President CHENEY gave a shocking interview to the Washington Times. In the interview, he admitted that 33 prisoners were subjected to what he called "enhanced interrogation techniques." That's fancy bureaucratic language for torture. He even admitted that prisoners were subjected to waterboarding, which has been considered a form of torture ever since the Spanish Inquisition.

I know that conservatives like Vice President CHENEY have looked backwards for their policies, but the 15th century, Mr. Speaker, is much too far back. Look at the consequences of these policies of war, occupation and torture. The Middle East continues to be in turmoil and flames. Iran's influ-

ence continues to spread. People all around the globe have a negative opinion of the United States, which makes it much harder for us to get their help.

When America loses its moral authority, Osama bin Laden and other terrorists find it a lot easier to recruit new members. But with the change in our Nation's leadership on January 20, America has new hope. We have new hope for the future.

In addition to her comments about diplomacy this morning, HILLARY CLINTON said that "We must build a world with more partners and fewer adversaries," and she promised to work with Congress and not to treat us with contempt, as the current administration has. She said, and I quote her, "For me, consultation is not a catchword—it's a commitment."

And she quoted Terence, the Roman playwright, who said, "In every endeavor, the seemly course for wise (people) is to try persuasion first."

The current administration tried war and occupation for 8 years, and it didn't work, so it's time to give diplomacy a chance.

#### YOUR HARD-EARNED MONEY BELONGS TO YOU

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. NEUGEBAUER) is recognized for 5 minutes.

Mr. NEUGEBAUER. Mr. Speaker, this summer, spring, we sent Americans a stimulus check to help stimulate the economy. We actually gave them some money. We had already spent the money that they had given us for taxes, and so we went and borrowed some money and sent that money to the American people to let them try to stimulate our economy.

Evidently that didn't work as well as a lot of people thought it would, and so now there is a movement to spend much more, larger amount, triple, quadruple the amount of money that was spent this spring. Guess what? We don't have the money, and so we are going to go and borrow it.

So what we are on is this system of tax, spend, borrow. Tax, spend, borrow. It isn't working. The American people know that that's not the right prescription for getting us out of this economic slump. Yet that is the plan that will be brought before this body possibly this week.

This is going to be a big week for your children and grandchildren. We are going to have a \$350 billion second half of the stimulus or the bailout program, and now we are talking about nearly \$1 trillion in new spending for a stimulus package, \$1.3 trillion.

My friend from Texas spoke about the fact that Members from Congress are using their voting cards as credit cards. It's time, actually, for Members of Congress to start using their cards not as credit cards and mortgaging the future of our young people, but investing and beginning to spend money that

we actually have, instead of spending money we do not have.

This unrestrained borrowing and spending has got to stop because it's not working. Now, one of the things that we need to do to actually begin to stimulate the economy is just leave the money in the economy. How do we leave the money in the economy?

Well, Mr. Speaker, what we do is we lower the taxes. We lower the taxes on individuals. We lower the taxes on corporations. We lower the taxes on small businesses.

Our small businesses, for example, are the number one job creators in America. By lowering the taxes for small businesses, we are able to create jobs and opportunity. Whether it's Joe the Plumber or Ray the Electrician, when they have the opportunity to keep more of the money that they are making, they go out and buy a new service truck.

Well, you know what happens when they buy a new service truck? They have got to go hire someone to run that truck, so they go out and hire an electrician or a plumber and maybe a helper. So that creates more and more jobs.

But every time we take more and more of the money of Joe the Plumber or Ray the Electrician or the American hardworking people, when we take that money into Congress or into the government, one, that dollar gets a lot smaller when it goes back out and, yet, so we are taking, the net effect is, we are taking money out of the economy.

I introduced a bill last week that would try to leave the money in the economy. What this bill would do would be lower each one of the tax brackets by—the tax rate on each one of the brackets by 5 percent.

Also, it would make the top brackets in this country, both corporate and individual, 25 percent. That means that we have a further reduction in the amount of money that we take out of the economy on a daily, weekly and annual basis.

Now, what could this do? Well, according to the Heritage Foundation, this could help create more jobs in our country. Possibly in 2009 it could create a half a million new jobs; by the year 2012, 3.6 million new jobs.

If Americans and the American people are going to enjoy the freedoms and liberties that this Nation offers, the best way to do that is to allow them to have the opportunity to work and to earn their money, but, more importantly, to keep more of their money.

One of the things that we have done in this country that concerns me, I think it concerns the American people, is this country was founded on principles of empowerment. People came to America with dreams that they would work hard, apply themselves. And if they did that, they could reap the benefits of their hard work and enjoy their successes.

But, unfortunately, in our country today, they were running away from

big government. Now the country that was founded on the principles of small business is moving more to big government. And how is the government getting bigger? It's taking a bigger and bigger chunk out of the American people's, American taxpayers' hard-earned money.

Mr. Speaker, these are difficult times, yet they are challenging times, but they are times where we must make good decisions. Going out and mortgaging another \$1.3 billion for future generations to pay back is not a good investment.

I ask my colleagues to join me in supporting this bill so that we can leave more money with the American taxpayers. The American taxpayers deserve a better plan from the Federal government than more spending on top of a deficit already projected to be more than \$1 trillion this year.

Congress should focus on solutions that empower individuals and businesses to succeed in the economy, rather than solutions that make them more dependent on the Federal government.

#### WALL STREET'S BANKSTERS ARE COMING BACK TO MAMA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 60 minutes as the designee of the majority leader.

Ms. KAPTUR. Mr. Speaker, wake up, America. Get your telephone calls going to Congress. Set up your robodials in gear. Wall Street's banksters are coming back to mama. Here they come again, and shame on us if we let them do it to us again.

America, pay attention. Batten down the hatches. Let your Member of Congress know the banksters are coming back to mama.

We are about to be taken for a ride by the banksters again. These banksters bank on us making the taxpayers pay again.

Don't let them do it. Why? Because what they are doing is trampling our democracy. We are getting set to have another piece of legislation crammed through the Congress regarding the bailout. They call it TARP, the Troubled Assets Relief Program. It's the old bank bailout bill from last year.

Despite the fact that due deliberation is required of us as Members of Congress through regular order of this House, and, frankly, our Constitution, this new cram down comes with a twist. Instead of not holding any hearings on the reform of the TARP, like happened last time, and only letting us see the bill 18 hours before \$700 billion of the taxpayers' money was to be put on the table, one hearing is being held, exactly one, tomorrow, and it happens to be being held at the same time that amendments to that bill are supposed to be filed upstairs in the Rules Committee.

So Members who spent over 20 years on that committee are unable to take

what they hear at the hearing, and the information learned, to make recommendations for amendments to the Rules Committee. Any Member who might not be on the committee, and who wants to go to the hearing and listen, and then maybe propose amendments, well, you can't do that because it's being held at the same time.

The committee will be holding the hearing here in the Capitol where most Americans can no longer afford to travel. They are not bothering to go out to the country, to the communities that have been so badly devastated by the rising foreclosure crisis, that the TARP, the bank bailout bill is not solving.

No, the public won't be included, and the subpoena power of the committee will not be used. So here we go, the banksters are back. They want another \$350 billion of our taxpayers' money, and the deliberations inside this Chamber are throttled. Isn't that sad, particularly given what happened to the first 350 billion. Once again, we are being pushed and told we have to hurry this up. We are going to have a new President. So we are told to hurry up and be hasty and not be thoughtful, because, of course, something might happen. But you know what? It's already happening.

What we are doing isn't working. But we are going to have to be voting this week on a big unthinkable wad of our taxpayers' money, \$350 billion more. And if we learned anything from the release of the first half of the TARP funds, it's that hurried legislative action brings undesired and sloppy results.

Back in the fall we were told we didn't have the time to be deliberative, that if we didn't pass it, the economy was going to continue a downward spiral, that the economy would crash, and we would be to blame.

Well, some Members voted for it, and it passed, and guess what happened? What they said wouldn't. Never mind that Secretary Paulson's management of the economy and the bailout still has resulted in 1.2 million jobs lost in November and December. Believe me, people in my State know what those numbers really mean.

One in 10 homeowners are in arrears or in foreclosure, imagine that, 10 percent of the people who own homes in this country.

□ 2000

And \$4 trillion of wealth has been lost by our families. The American people were played, and \$350 billion later Secretary Paulson has given us no progress for the American people. We are in a deeper economic hole than when we began.

TARP isn't working. It hasn't stemmed the foreclosure crisis, which is at the heart of what is wrong with our economy. It didn't help unfreeze credit inside our financial system. The auto industry didn't go into a nose-dive because people didn't want to buy cars.

They couldn't get the loans from the banks to buy the cars because the housing foreclosure crisis froze up the credit system. Instead, TARP has brought the auto industry and hundreds of thousands of businesses across our country to their knees.

A staggering 693,000 jobs were lost across this country in the last month, three-quarters of a million, following 533,000 jobs the month before, half a million more. There are now nearly four job seekers for every one job opening. And, again, one in ten homeowners nationwide are now in arrears or facing foreclosure. My advice to people in that position: Don't leave your property. You claim your own property, because chances are if you had a good lawyer and they went to court on your behalf, they couldn't find who really holds your mortgage. If they go to the Truth in Lending laws, you might be surprised. The law might be on your side. Don't leave your property.

So what have the banks done with all this money? Shouldn't we know that before we vote to give them more? I ask every Member of Congress, shouldn't we know where the money went and what they did with it? Have they reworked mortgages and started lending again? No. No, they have not. Instead, they have had a party buying one another up. The big banks, particularly the Wall Street banks, they are getting bigger. Community banks are under stress. Many State-Headquartered banks are being bought by the bigger banks.

PNC, already one of the Nation's largest banks, bought National City Bank in Ohio. They are throwing 4,000 people out of work in Cleveland, Ohio. But PNC became, hold on to your seats now, the fifth largest bank in the United States from the infusion of TARP funds it received. The fifth largest bank in our country, and their corporate expansion bought and paid for by you, our taxpayers.

Now, look at who else is getting bigger. Last night, CBS news reported on CBS.com that Bank of America received \$15 billion, and then they bought Merrill Lynch, that had gotten \$10 billion even as it was put up for sale. Total that up. That is \$25 billion. Now Morgan Stanley, the recipient of \$10 billion, is buying China Trust Bank. Another half dozen banks, including M&T, Capital One Bank, US Bancorp, Hampton Roads Bankshares and PNC, got bailout money, and then they bought up other banks. They just keep getting bigger. And what is interesting about that, under the law, when they buy another bank, they can probably book losses on their 2008 tax returns.

It is very interesting how the financial system works on behalf of the big, and yet for those losing their homes, they have almost no one to represent them. They are having a royal time with our money, the banksters up there on Wall Street.

Money Morning reports the 116 banks that are receiving billions in taxpayer-

provided bailout money this year actually paid out \$1.6 billion in compensation to their executives, plus benefits, even though the results at some of these institutions were so poor that they would soon have to turn to Washington for government-engineered rescues. The \$1.6 billion in compensation and benefits to the banksters was paid out to nearly 600 executives at the 116 banks that have so far accepted Federal money to bolster their financial situation.

The Associated Press concluded after a review of U.S. security filings that in addition to salary, the compensation included bonuses paid in both cash and stock. The benefits reaped by top executives included the use of company jets for personal purposes, personal chauffeurs, home security services, country club memberships and professional wealth management services, the news service said.

Now, let's give them credit. These banksters know how to walk our money around. They even know how to create money when there isn't any there. They create fancy names; derivatives, credit default swaps and collateralized debt obligations. But those instruments are not worth anything, because the underlying assets cannot pay back the money if someone tries to collect it. That is usually called fraud or money laundering.

But could it be a cruel twist of fate that the Secretary of the Treasury, Mr. Paulson, former chief executive officer of Goldman Sachs, oddly took care of Goldman, his firm, first during all of this, making it a bank holding company, so it could get its nose under the tent cover—I mean qualify for Federal insurance, like the well-run banks do, which had paid into the insurance system. He did that for his own institution, but then he shed crocodile tears and he pushed Lehman Brothers overboard with no mercy. I would really like to know the full truth behind that story.

But then Mr. Paulson, by coincidence surely, picked his top money man at Goldman Sachs and moved him too, lock stock and barrel, into the U.S. Treasury to hand out our cash. Now, this surely must have been done accidentally. How can you have two men from the same Wall Street firm delegated all this power? Oh, you might have heard his name. It is Mr. Kashkari. Yes, Neel Kashkari. He came from Goldman.

It must surely be another coincidence that Goldman was also Wall Street's largest contributor to Federal campaigns last year. Check it out yourself at [opensecrets.org](http://opensecrets.org). That is a Web site, [opensecrets.org](http://opensecrets.org). In fact, Wall Street overall became the largest donor to Federal elections. And they are not showing any signs of slowing down. According to the Wall Street Journal, 90 percent of donations received so far for the Inaugural Committee have been raised by well-heeled fund-raisers, including Wall Street ex-

ecutives whose companies have received billions of dollars in Federal bailout money.

Well, think about that one. Of the 207 fund-raisers that have collected \$24.8 million of the \$27.3 million in contributions through Thursday for the coming inauguration, according to an analysis by the nonpartisan campaign finance group Public Citizen, Wall Street employees as a group have been the biggest single source of these donations. Much of their donations, in fact \$5.7 million total, has been channeled through financial services executives who each have bundled together donations worth hundreds of thousands of dollars.

Goldman Sachs has provided \$175,000 in donations primarily through the bundling efforts of Jennifer Scully, who has raised over \$100,000; Bruce Heyman who raised \$50,000, including \$10,000 of his own money; and another gentleman, David Heller, who donated another \$25,000. Think about what is going on here.

But, you know, a lot of people say they don't influence peddle. Banksters don't influence peddle. They just want good government. Sure they do. Of course, all this is accidental. Nobody planned it this way. Just like Bernie Madoff. Oh, he didn't plan anything either. Some might believe what these banksters do in their private affairs has absolutely no relationship to what happens here in Washington, and if you believe that, you were born yesterday. Fool me once, shame on you; fool me twice, shame on me.

There are problems with the bill drafted to address the administration's mishandling of the bailout. This is the bill that is going to come before us, we think, H.R. 384, the TARP Reform Accountability Act of 2009. TARP doesn't need reforming. We need to kill it. We need to put the attention at the Federal Deposit Insurance Corporation and the Securities and Exchange Commission in order to resolve the inter-bank lending problem and the foreclosure credit crisis. We don't need to give this job to the Treasury. The wrong agency has the lead.

Let's look at title II, called "foreclosure relief." Number one, the legislation provides no new plan to stop foreclosures. That is what it was passed to do in the first place. This bill doesn't have it either. It continues to do more of the same, which simply hasn't worked. Servicers are not motivated through this bill to modify loans, because they are making money hand-over-fist servicing defaulted loans, foreclosing on loans and profiting from real estate that they have come to own. And they are awaiting booking huge tax losses on their 2008 income tax filings. The Tax Code favors them, not us, not the people who sent me here.

This legislation that is proposed does not help homeowners defend themselves against criminal acts of fraud being perpetrated against them in

processing foreclosures. A majority of the loans originated between 2000 and 2008 have legal defenses against foreclosures, but because the scheme has drained consumers of financial resources and because there are so few consumer law attorneys who know how to raise these defenses in a court of law, consumers have no access to their rights, for example, under the Truth in Lending Act.

The legislation continues to shift both the risk and the cost of the program off corporations who perpetrated the scheme and on to homeowners, our American taxpayers. The legislation does not address the root of the problem and it will be just as ineffective as the first round of TARP funding in addressing the core problem, the home foreclosure crisis. The current loan modification restrictions are unsustainable and they will redefault.

Let's go to title V, and I can't go through every title tonight, called Hope For Homeowners Program Improvements. Hope for Homeowners consist of industry players who created the mortgage mess to begin with. They are milking the system and not providing any relief to homeowners now. New nonprofit companies and loan modification companies are cropping up all over, and most of these have been established by the very mortgage brokers who defrauded consumers and sold them into subprime slavery. They should not now be rewarded with a new business opportunity to revictimize the victims.

So let's look at some recommendations that make sense. The bill that will be sent to us will not correct the root of the problem and it will not achieve the goal of preventing foreclosures and keeping people in their homes. There are many effective foreclosure prevention strategies being deployed by attorneys and advocates, and we need to translate these into systemic solutions.

We need to investigate, and it is a sham that this Congress is not doing appropriate oversight; how the shadow banking sector created by the Wall Street investment banks after the repeal of Glass-Steagall, which was called Gramm-Leach-Bliley, constructed a private money creation system that in a short 10 years equals or exceeds the assets of all regulated banks nationwide.

In short there are solutions. We need a consumer-centric model. What we have now is a creditor-centric model. It will eventually lead to a complete collapse, because consumers and taxpayers cannot handle this burden.

Let's go back to Ohio and take the case of National City, which has been an institution headquartered in Ohio, in Cleveland, since 1845.

□ 2015

Now, Treasury's money, the taxpayers' money, our money, went to another out-of-state bank, PNC, of Pittsburgh, whose vice president, Mr.

Demchuk, invented the derivative instrument. They came to Ohio, PNC, and they bought National City Bank, putting all the National City Bank employees on notice with pink slips, 4,000 of them, that they would be out of work on the tape. PNC became bigger.

So what Mr. Kashkari did was take our money and give it to PNC, that hasn't worked out any of its mortgage loans. They, then, came to Ohio and bought out National City Bank. So PNC got bigger, our banking system gets more concentrated, and PNC became more powerful. Some say they actually have price control power now over all of Western Pennsylvania.

So, PNC got \$7.5 billion from us. Cleveland and Ohio lose a Fortune 500 company. They lose 4,000 National City Bank workers, and in Ohio, foreclosures are raging. And Ohio, it gets nothing. We get nothing. We need \$20 billion just to fix what's wrong in Ohio. But all we get is more foreclosures.

Now, take another institution. In 2008, Citigroup, one of the main culprits that caused the financial meltdown, was bestowed \$25 billion. They got more than PNC. They got it from us, the taxpayer. And then they just kept foreclosing. In my district alone, another 235 families just were told, you're out of your house.

Last November I found an advertisement in my local paper that said there was going to be an auction in my home community, and I was surprised. I didn't know the company coming in. It was called Hudson and Marshall of Dallas, Texas. So I went to the auction.

And guess what? Citigroup was one of the banks selling the properties through Hudson Marshall. I attended. And I watched homes in my community sold for as little as \$7,900, a price so low that we could have put the original owners back in those homes.

Not only was Citigroup auctioning homes that night, but so were lots of other bailout recipients. Those are the banks that got the money from Treasury through us. Here they are: Wells Fargo, US Bank, Deutsche Bank, ABN/Amro, Chase Home Finance, Fifth Third Bank, Standard Federal, and LaSalle. They all got the money, and then they turned their backs on the very people that they were meant to help. That's what the people who passed the bailout bill last year said, that we would help those being foreclosed. But that hasn't happened.

It is clear that the recipients of the Treasury money are unwilling to craft real workouts. And so what happens in our region is people just keep getting kicked out of their homes.

Wall Street hired the auction company from Dallas, Texas. They didn't even hire an Ohio auctioneer. They came to our region. They sold all those properties for very little money. And they're going to get big, huge tax losses written off their IRS filings for the tax year of 2008.

But where are our families who lost their homes? Out on the street. Our

people lost their homes and they lost their way of life.

I would like to invite Mr. Kashkari and Secretary Paulson and all the PNC executives to come to Ohio. I want you to live in one of the neighborhoods that your actions have affected. We're going to give you a little heater, a Bunsen burner heater overnight so you don't get too cold in those houses. And we'd like you to experience the results of what you are doing to the American people. You're holed up here in Washington with lots of security.

We need to get people back on Main Street. That's where we represent. Last year 4,100 homes, just in my home county, were foreclosed. And in the last 2½ years, 10 percent of the properties in my home community foreclosed. 10 percent of the entire housing stock. And as foreclosure rates continue to rise in places like Ohio, it's pretty obvious that's what's happening here in Washington isn't connecting to Main Street.

Why don't people here see that? Why are people afraid to look at the details of what's being proposed to us and say, no, no, to the banksters?

Sadly, Hudson and Marshall, the auction house that Wall Street hired to sell all those homes in my community, they're coming to your town too. This month alone they're slated to be in several cities, in Michigan, Arizona, Connecticut, Massachusetts, Rhode Island, New Jersey. Think about this. Think how much money they are making. And they're going to auction at least 1,455 properties. They've now sold over 70,000 homes just in the last few years, and they are expecting, just this one company, to sell another, to auction another 30,000 properties in 2009.

Mr. Paulson and Mr. Kashkari, your program isn't working.

What is happening is an outrage to the American people, and they are being asked to pay for this. There shouldn't be any more TARP bills clearing this Congress. Full hearings must be held in the communities being affected, not some little hearing up here in one room in the Capitol on one afternoon or in a couple of hours. We need to use our power to get to the truth and represent the voters that sent us here.

Equity is bleeding profusely from our communities, and the sheer volume of the properties sold at auction is disturbing. Financial institutions which have been capitalized through the TARP program have failed to do mortgage workouts. FDIC and SEC are the institutions to take care of this mess, and they must be required to do mortgage workouts, rather than foreclosing on homes and participating in these auctions.

Hudson and Marshall stated in a press release today that they have made over \$1.2 billion recently doing auctions. \$1.2 billion. These are dollars that could have been turned to do mortgage workouts at the local level and put people back in their homes.



The intent of the TARP was to help stabilize our financial system, which includes, in large measure, our housing industry. Yet, what are the financial institutions doing? Enriching themselves, merging, creating mega-giant institutions and foreclosing on families, rather than working to stabilize families and neighborhoods across this country.

A stable home permits people to focus on obtaining and maintaining employment, purchasing food and contributing to society in positive ways, rather than relying on Social Services funded by State and Federal dollars.

We see communities falling apart. Community members and local banks are effectively locked out of the opportunity to reinvest in themselves because monies from the Department of Housing and Urban Development, which we were told would get to the communities so they could buy these homes, guess what? They're not there. They weren't there in October. They weren't there in November, they weren't there in December. They're not there in January. Now we're told maybe they'll be there by March. Nobody seems to know. So all of these programs that were supposed to work to help the American people who are paying the bill aren't working.

No second round of bailout money, under TARP, should emerge from this Congress unless real hearings are held under all the committees of jurisdiction, unless the subpoena powers of this Congress are used, and that the victims of this crisis can have their voices heard in the deliberative process, not just here in Washington but where they live, where we live, in the real America. The committees should treat the American people with respect, and they should travel to the communities most impacted.

Why should we trust the banksters, those Wall Street banks that are going to be up here again this week, as we watch families in our regions pushed over the edge every day of every month, as the year proceeds?

Mr. Speaker, this is probably the worst financial crime I've ever seen committed against the American people. And yet, Congress seems almost somnambulant. It seems to be walking around in a daze, the institution largely shut down, all of this happening before the new President even assumes office.

Think about the politics of the timing of this. I think the new President should suspend foreclosures. He should make a statement on that, and he should ask that this action be suspended. What's going to happen in 7 days that hasn't happened already? And then assume office and appoint people at the FDIC and SEC who will use the normal means to resolve real estate problems across the banking system of this country.

To give \$350 billion more, 1/3 of a trillion dollars, to the banksters who have led America to this precipice, is absolutely backwards.

I ask my colleagues, wake up.

I ask the American people, get your calls coming in. Let's let the new President and the new Congress use the full powers they have been given to address this deeply, deeply rooted economic crisis. Until we fix the housing crisis, and we get those real estate loans worked out on the books of institutions locally, and we stand up to Wall Street, we are not going to fix this problem, and the American people are going to continue to bleed, and that is morally wrong. That is simply morally wrong.

I agree with the new President-elect who said he believes in a moratorium on foreclosures. That ought to happen until he puts people in place who can remedy this problem without \$350 billion more dollars walking out the door before he even assumes office. As a former community organizer, he must know the pain that exists across this country.

And just because Wall Street has more money and a lot of political power doesn't mean that it's right. We, as a Congress, must do what's right for the American people. We must say "no" to the second \$350 billion, and we must represent the people who depend on us to do what's right for them and right for the country.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 8 o'clock and 28 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 2050

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MCGOVERN) at 8 o'clock and 50 minutes p.m.

#### RESIGNATION AS MEMBER OF COMMITTEE ON RULES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Rules:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, January 12, 2009.

The Hon. NANCY PELOSI,  
Speaker, House of Representatives,  
Washington, DC.

DEAR SPEAKER PELOSI: I am writing to notify you of my resignation from the Committee on Rules, effective January 14, 2008.

I appreciate the incredible opportunity you gave me to serve on this important committee two years ago. As a new Member of Congress, the Committee on Rules provided me with an invaluable introduction to the legislative process and a key opportunity to serve Vermonters. I look forward now to working on the pressing national issues as a new member of the Committee on Energy and Commerce.

Thank you for your attention to this matter.

Sincerely,

PETER WELCH,  
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

#### RESIGNATION AS MEMBER OF COMMITTEE ON RULES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Rules:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, January 12, 2009.

Hon. NANCY PELOSI,  
Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: I am writing to notify you of my resignation from the Committee on Rules, effective January 14, 2009. I enjoyed serving on such a prestigious Committee and look forward to serving on the Committee on Energy and Commerce Committee.

Thank you for your attention to this matter.

Sincerely,

BETTY SUTTON,  
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

#### RESIGNATION AS MEMBER OF COMMITTEE ON RULES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Rules:

JANUARY 12, 2009.

Hon. NANCY PELOSI,  
Speaker, House of Representatives,  
The Capitol, Washington, DC.

DEAR SPEAKER PELOSI: I am writing to notify you of my resignation from the Rules Committee, effective January 14, 2009. It was an honor to serve you and Chairwoman Slaughter as a freshman member of this prestigious committee.

I look forward to continuing to serve you from the Energy and Commerce Committee in the 111th Congress.

Sincerely,

KATHY CASTOR,  
United States Representative,  
Florida District 11.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

#### RESIGNATION AS MEMBER OF COMMITTEE ON VETERANS' AFFAIRS

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Veterans' Affairs:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, January 13, 2009.

Hon. NANCY PELOSI,  
Speaker, House of Representatives, Capitol  
Building, Washington, DC.

Hon. JOHN BOEHNER,  
Republican Leader, House of Representatives,  
Capitol Building, Washington, DC.

DEAR SPEAKER PELOSI AND LEADER  
BOEHNER: I am writing to tender my resignation  
from the House Veterans' Affairs Commit-  
tee for the 111th Congress effective today,  
January 13, 2009. It has been an honor to  
serve with Chairman Filner and Ranking  
Member Buyer, as well as the other members  
of the Committee, to ensure the needs of our  
veterans remain a national priority.

I remain committed to making certain  
that our veterans receive the best quality of  
care, benefits, and services that the United  
States is able to provide. Locally, the Day-  
ton VA Medical Center, and all Miami Valley  
and Ohio veterans will remain a top priority.

Since my election to Congress I have been  
proud to support all of our nation's veterans  
through increases in VA funding and support-  
ing the Wounded Warrior Assistance  
Act, which is aimed at improving the transi-  
tion between DoD and VA medical care. Ad-  
ditionally, I was able to support final pas-  
sage of the GI Bill modernization, which ex-  
panded veterans education benefits and al-  
lows them to transfer their unused benefits  
to their immediate family members.

Locally, I have been able to advocate for  
the 500-bed Dayton VA Medical Center,  
which is one of the three original VA "sol-  
diers' homes" created by President Lincoln  
after the Civil War. This facility is the sec-  
ond largest federal installation in my Con-  
gressional District, and is an important  
community asset. I worked to ensure the Com-  
munity Living Center, which was slated for  
closure, remained open and also received ad-  
ditional money for a state-of-the-art renova-  
tion. I was also proud to help rural veterans  
in my community continue to have access to  
important screening services close to home.

I have recently been named the Ranking  
Republican on the Strategic Forces Sub-  
committee of the House Armed Services  
Committee. This leadership position requires  
a great deal of commitment and is a unique  
opportunity to continue my service to en-  
sure our national security.

I appreciate the opportunity to have served  
on the House Veterans' Affairs Committee  
for the past four years. Because of the com-  
mitment of all members on this distin-  
guished committee, we have made great  
strides in caring for our veterans, and I know  
that the trend will continue. Please have  
your staff contact Joseph Heaton (jo-  
seph.heaton@mail.house.gov) at 225-6465 if  
my office can be of assistance.

Sincerely,

MICHAEL R. TURNER,  
Member of Congress.

The SPEAKER pro tempore. Without  
objection, the resignation is accepted.  
There was no objection.

#### ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. LARSON of Connecticut. Mr.  
Speaker, by direction of the Demo-  
cratic Caucus, I offer a privileged reso-  
lution and ask for its immediate con-  
sideration.

The Clerk read the resolution, as fol-  
lows:

H. RES. 51

Resolved, That the following named Mem-  
bers be and are hereby elected to the fol-

lowing standing committees of the House of  
Representatives:

(1) COMMITTEE ON HOUSE ADMINISTRATION.—  
Ms. Zoe Lofgren of California, Mr. Capuano,  
Mr. Gonzalez, Mrs. Davis of California, Mr.  
Davis of Alabama.

(2) COMMITTEE ON RULES.—Mr. Perlmutter,  
Ms. Pingree of Maine, Mr. Polis of Colorado.

SEC. 2. Paragraph (5) of House Resolution  
24, One Hundred Eleventh Congress, agreed  
to January 7, 2009, is amended by striking  
"Mr. Bishop of Utah," and inserting "Mr.  
Bishop of New York,".

Mr. LARSON of Connecticut (during  
the reading). Mr. Speaker, I ask unani-  
mous consent that the resolution be  
considered as read and printed in the  
RECORD.

The SPEAKER pro tempore. Is there  
objection to the request of the gen-  
tleman from Connecticut?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid upon  
the table.

#### REPORT ON RESOLUTION PRO- VIDING FOR CONSIDERATION OF H.R. 2, CHILDREN'S HEALTH IN- SURANCE PROGRAM REAUTHOR- IZATION ACT OF 2009

Mr. HASTINGS of Florida, from the  
Committee on Rules, submitted a privi-  
leged report (Rept. No. 111-1) on the  
resolution (H. Res. 52) providing for  
consideration of the bill (H.R. 2) to  
amend title XXI of the Social Security  
Act to extend and improve the Chil-  
dren's Health Insurance Program, and  
for other purposes, which was referred  
to the House Calendar and ordered to  
be printed.

#### REPORT ON RESOLUTION PRO- VIDING FOR CONSIDERATION OF H.R. 384, TARP REFORM AND AC- COUNTABILITY ACT OF 2009

Mr. HASTINGS of Florida, from the  
Committee on Rules, submitted a privi-  
leged report (Rept. No. 111-2) on the  
resolution (H. Res. 53) providing for  
consideration of the bill (H.R. 384) to  
reform the Troubled Assets Relief Pro-  
gram of the Secretary of the Treasury  
and ensure accountability under such  
Program, which was referred to the  
House Calendar and ordered to be  
printed.

#### LEAVE OF ABSENCE

By unanimous consent, leave of ab-  
sence was granted to:

Mr. BOUCHER (at the request of Mr.  
HOYER) for today and the balance of  
the week.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to  
address the House, following the legis-  
lative program and any special orders  
heretofore entered, was granted to:

(The following Members (at the re-  
quest of Mr. CHANDLER) to revise and  
extend their remarks and include ex-  
traneous material:)

Mr. REYES, for 5 minutes, today.

Mr. CHANDLER, for 5 minutes, today.

Mr. DEFALZO, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

(The following Members (at the re-  
quest of Mr. POE of Texas) to revise and  
extend their remarks and include ex-  
traneous material:)

Mr. BURTON of Indiana, for 5 minutes,  
today, January 14 and 15.

Mr. FRANKS of Arizona, for 5 minutes,  
January 14 and 15.

Mr. HUNTER, for 5 minutes, January  
14.

Mr. NEUGEBAUER, for 5 minutes,  
today.

#### SENATE ENROLLED JOINT RESOLUTION SIGNED

The Speaker announced her signa-  
ture to an enrolled Joint Resolution of  
the Senate of the following title:

S.J. Res. 3. Ensuring that the compensa-  
tion and other emolument attached to the  
office of Secretary of the Interior are those  
which were in effect on January 1, 2005.

#### ADJOURNMENT

Mr. HASTINGS of Florida. Mr.  
Speaker, I move that the House do now  
adjourn.

The motion was agreed to; accord-  
ingly (at 8 o'clock and 54 minutes  
p.m.), the House adjourned until to-  
morrow, Wednesday, January 14, 2009,  
at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive  
communications were taken from the  
Speaker's table and referred as follows:

46. A letter from the Administrator, De-  
partment of Agriculture, transmitting the  
Department's "Major" final rule — Walnuts  
Grown in California; Section 610 Review  
[Docket No. AMS-FV-08-0010; FV08-984-610  
Review] received January 7, 2009, pursuant to  
5 U.S.C. 801(a)(1)(A); to the Committee on  
Agriculture.

47. A letter from the Administrator, De-  
partment of Agriculture, transmitting the  
Department's "Major" final rule — Toma-  
toes Grown in Florida; Section 610 Review  
[Docket No. AMS-FV-08-0009; FV08-966-610  
Review] received January 7, 2009, pursuant to  
5 U.S.C. 801(a)(1)(A); to the Committee on  
Agriculture.

48. A letter from the Administrator, De-  
partment of Agriculture, transmitting the  
Department's "Major" final rule — Pears  
Grown in Oregon and Washington; Section  
610 Review [Docket No. AMS-FV-08-0008,  
FV08-927-610 Review] received January 7,  
2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the  
Committee on Agriculture.

49. A letter from the Counsel for Legisla-  
tion and Regulations, Department of Hous-  
ing and Urban Development, transmitting  
the Department's final rule — Revision of  
Hearing Procedures [Docket No. FR-5084-F-  
02] (RIN: 2501-AD24) received January 7, 2009,  
pursuant to 5 U.S.C. 801(a)(1)(A); to the Com-  
mittee on Financial Services.

50. A letter from the Associate General  
Counsel for Legislation and Regulations, De-  
partment of Housing and Urban Develop-  
ment, transmitting the Department's final

rule — Matching Requirements in McKinney-Vento Act Programs [Docket No. FR-5247-F-01] (RIN: 2506-AC24) received January 7, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

51. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Deposit Insurance Requirements After Certain Conversions; Definition of "Corporate Reorganization;" Optional Conversions ("Oakar Transactions"); Additional Grounds for Disapproval of Changes in Control; and Disclosure of Certain Supervisory Information (RIN: 3064-AD25) received January 7, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

52. A letter from the Director, FDIC Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Assessment Dividends (RIN: 3064-AD27) received January 7, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

53. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Temporary Liquidity Guarantee Program (RIN: 3064-AD37) received January 7, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

54. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Financial Education Programs That Include the Provision of Bank Products and Services (RIN: 3064-AD28) received January 7, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

55. A letter from the Deputy General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Incidental Powers (RIN: 3133-AD12) received January 7, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

56. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Share Insurance for Revocable Trust Accounts (RIN: 3133-AD54) received January 7, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

57. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Display of Official Sign; Temporary Increase in Standard Maximum Share Insurance Amount; Coverage for Custodian Loan Accounts (RIN: 3133-AD55) received January 7, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

58. A letter from the Acting Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — MODERNIZATION OF OIL AND GAS REPORTING [Release Nos. 33-8995; 34-59192; FR-78; File No. S7-15-08] (RIN: 3235-AK00) received January 7, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

59. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's "Major" final rule — INDEXED ANNUITIES AND CERTAIN OTHER INSURANCE CONTRACTS [Release Nos. 33-8996; 34-59221; File No. S7-14-08] (RIN: 3235-AK16) received January 12, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

60. A letter from the Secretary, Department of Health and Human Services, transmitting the twenty-eighth annual report on the implementation of the Age Discrimination Act of 1975 by departments and agencies

which administer programs of Federal financial assistance, pursuant to 42 U.S.C. 6106a(b); to the Committee on Education and Labor.

61. A letter from the Secretary, Department of Energy, transmitting the Department's Annual Report for the Strategic Petroleum Reserve covering calendar year 2007, in accordance with section 165 of the Energy Policy and Conservation Act; to the Committee on Energy and Commerce.

62. A letter from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting the Department's "Major" final rule — Energy Conservation Program for Commercial and Industrial Equipment: Energy Conservation Standards for Commercial Ice-Cream Freezers; Self-Contained Commercial Refrigerators, Commercial Freezers, and Commercial Refrigerator-Freezers Without Doors; and Remote Condensing Commercial Refrigerators, Commercial Freezers, and Commercial Refrigerator-Freezers [Docket Number EERE-2006-BT-STD-0126] (RIN: 1904-AB59) received January 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

63. A letter from the Principal Deputy Assistant Secretary Legislative Affairs, Department of State, transmitting certification of a proposed manufacturing license agreement with India (Transmittal No. DDTC 134-08), pursuant to 22 U.S.C. 2776(d); to the Committee on Foreign Affairs.

64. A letter from the Acting Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.

65. A letter from the Deputy Secretary, Department of Defense, transmitting a report pursuant to Pub. L. 110-252, Sec. 9204; to the Committee on Foreign Affairs.

66. A letter from the Assistant Secretary Legislative Affairs, Department of State, transmitting the Interagency Working Group on U.S. Government-Sponsored International Exchanges and Training's annual inventory of U.S. Government-sponsored international exchange and training programs, pursuant to 22 U.S.C. 2460(f) and (g) Public Law 87-256, section Section 112(f) and (g); to the Committee on Foreign Affairs.

67. A letter from the Assistant Secretary Legislative Affairs, Department of State, transmitting the Department's report on the status of consular training with respect to travel and identity documents, pursuant to Section 7201(d) of The Intelligence Reform and Terrorism Prevention Act of 2004; to the Committee on Foreign Affairs.

68. A letter from the Assistant Secretary Legislative Affairs, Department of State, transmitting a report pursuant to section 10(d)(1) of the United Nations Participation Act; to the Committee on Foreign Affairs.

69. A letter from the Chair, CPB Board of Directors, Corporation for Public Broadcasting, transmitting the Corporation's semiannual report on the activities of the Office of the Inspector General for the period from April 1, 2008 through September 30, 2008, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

70. A letter from the Secretary, Department of Housing and Urban Development, transmitting the Department's semiannual report from the office of the Inspector General for the period April 1, 2008 through September 30, 2008, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

71. A letter from the Chairman, Merit Systems Protection Board, transmitting a re-

port entitled, "The Federal Government: A Model Employer or a Work In Progress?," pursuant to 5 U.S.C. 1204(a)(3); to the Committee on Oversight and Government Reform.

72. A letter from the Chairman, National Endowment for the Arts, transmitting a report regarding the agencies' competitive sourcing efforts, pursuant to Public Law 208-199, section 647(b) of Division F; to the Committee on Oversight and Government Reform.

73. A letter from the Acting Administrator, Small Business Administration, transmitting the Administration's semiannual report from the office of the Inspector General for the period April 1, 2008 through September 30, 2008, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

74. A letter from the Captain, U.S. Coast Guard Pacific Area Chief of Staff, Department of Homeland Security, United States Coast Guard, transmitting the Department's Draft Environmental Impact Statement for USCG Pacific Operations: Districts 11 and 13, in accordance with the provisions of Section 102[2][c] of the National Environmental Policy Act of 1969; to the Committee on Transportation and Infrastructure.

75. A letter from the Assistant Secretary Legislative Affairs, Department of State, transmitting the Department's semi-annual report on the continued compliance of Azerbaijan, Kazakhstan, Moldova, the Russian Federation, Tajikistan, and Uzbekistan, pursuant to Sections 402 and 409 of the 1974 Trade Act, as amended; to the Committee on Ways and Means.

76. A letter from the Under Secretary for Policy, Department of Defense, transmitting a joint report that describes activities related to the Proliferation Security Initiative, including associated funding, that are planned to be carried out by the United States over the next three fiscal years, pursuant to Public Law 110-53, section 1821(b); jointly to the Committees on Foreign Affairs and Armed Services.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

*[Omitted from the Record of January 3, 2009]*

Mr. THOMPSON of Mississippi: Committee on Homeland Security. Report on Legislative and Oversight Activities of the House Committee on Homeland Security for the 110th Congress (Rept. 110-940). Referred to the Committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on the Judiciary. Report on the Activities of the Committee on the Judiciary During the 110th Congress (Rept. 110-941). Referred to the Committee of the Whole House on the State of the Union.

Mr. SKELTON: Committee on Armed Services. Report of the Activities of the Committee on Armed Services for the 110th Congress (Rept. 110-942). Referred to the Committee of the Whole House on the State of the Union.

*[Filed on January 13, 2009]*

Mr. HASTINGS of Florida: Committee on Rules. House Resolution 52. Resolution providing for consideration of the bill (H.R. 2) to amend title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, and for other purposes (Rept. 111-1). Referred to the House Calendar.

Mr. McGOVERN: Committee on Rules. House Resolution 53. Resolution providing for the consideration of the bill (H.R. 384) to reform the Troubled Assets Relief Program of the Secretary of the Treasury and ensure accountability under such Program (Rept. 111-2). Referred to the House Calendar.

### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. PALLONE:

H.R. 2. A bill to amend title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUPPERSBERGER (for himself and Ms. SHEA-PORTER):

H.R. 460. A bill to amend the Internal Revenue Code of 1986 to increase the credit for employers establishing workplace child care facilities, to increase the child care credit to encourage greater use of quality child care services, to provide incentives for students to earn child care-related degrees and to work in child care facilities, and to increase the exclusion for employer-provided dependent care assistance; to the Committee on Ways and Means.

By Mr. WU (for himself, Mr. GORDON of Tennessee, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LANGEVIN, Mr. BILBRAY, Ms. RICHARDSON, Ms. SCHWARTZ, Mr. MILLER of North Carolina, Mr. BOUCHER, Mr. BLUMENAUER, Mr. ROTHMAN of New Jersey, Mr. SENSENBRENNER, Mr. SMITH of Nebraska, and Mr. HALL of Texas):

H.R. 461. A bill to authorize the National Science Foundation to award grants to institutions of higher education to develop and offer education and training programs; to the Committee on Science and Technology.

By Mr. CUMMINGS:

H.R. 462. A bill to amend titles XIX and XXI of the Social Security Act to improve dental benefits under Medicaid and the State Children's Health Insurance Program (CHIP), and for other purposes; to the Committee on Energy and Commerce.

By Ms. SLAUGHTER (for herself, Ms. DEGETTE, Ms. DELAURO, Ms. HARMAN, Ms. LEE of California, Mrs. LOWEY, Mr. ROTHMAN of New Jersey, Mr. WAXMAN, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. ADLER of New Jersey, Mr. ARCURI, Ms. BALDWIN, Ms. BERKLEY, Mr. BERMAN, Mrs. BIGGERT, Mr. BISHOP of New York, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Mr. BOUCHER, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Mrs. CAPPS, Mr. CAPUANO, Mr. CARNAHAN, Mr. CHANDLER, Mr. CLAY, Mr. COHEN, Mr. CONNOLLY of Virginia, Mr. CROWLEY, Mrs. DAVIS of California, Mr. DELAHUNT, Mr. DICKS, Mr. ELLISON, Mr. ENGEL, Mr. FARR, Mr. FATTAH, Mr. FILNER, Mr. FRANK of Massachusetts, Ms. GIFFORDS, Mrs. GILLIBRAND, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. HALL of New York, Mr. HARE, Mr. HIGGINS, Mr. HINCHEY, Ms. HIRONO, Mr. HODES, Mr. HOLT, Mr.

HONDA, Mr. INSLER, Mr. ISRAEL, Ms. JACKSON-LEE of Texas, Mr. KENNEDY, Ms. KILROY, Mr. KIND, Mr. KUCINICH, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LEVIN, Mr. LOEBBACH, Ms. ZOE LOFGREN of California, Mrs. MALONEY, Ms. MATSUI, Ms. MCCOLLUM, Mr. McDERMOTT, Mr. McGOVERN, Mr. McNERNEY, Mr. MEEKS of New York, Mr. GEORGE MILLER of California, Mr. MITCHELL, Ms. MOORE of Wisconsin, Mr. MOORE of Kansas, Mr. MURPHY of Connecticut, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. NADLER of New York, Mrs. NAPOLITANO, Ms. NORTON, Mr. OLVER, Mr. PAYNE, Mr. PETERS, Ms. PINGREE of Maine, Mr. PRICE of North Carolina, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. RUPPERSBERGER, Mr. RUSH, Mr. RYAN of Ohio, Ms. LORETTA SANCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Ms. SCHWARTZ, Mr. SERRANO, Mr. SHERMAN, Mr. SIREN, Mr. STARK, Ms. SUTTON, Mrs. TAUSCHER, Mr. THOMPSON of California, Ms. TSONGAS, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Mr. WELCH, Mr. WEXLER, Ms. WOOLSEY, Mr. WU, Mr. YARMUTH, and Mr. VAN HOLLEN):

H.R. 463. A bill to expand access to preventive health care services that help reduce unintended pregnancy, reduce abortions, and improve access to women's health care; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PRICE of Georgia (for himself, Mr. BLUNT, Mr. BISHOP of Utah, Mr. BARTLETT, Mr. SESSIONS, Mr. GOHMERT, Mrs. BLACKBURN, Mr. BROWN of South Carolina, Mr. CRENSHAW, Mr. KLINE of Minnesota, Mr. FRANKS of Arizona, Mr. BURTON of Indiana, Mr. SOUDER, Mr. CASSIDY, Mr. SHUSTER, Mrs. BACHMANN, Mr. GINGREY of Georgia, Mr. COBLE, Mr. SMITH of Texas, Mr. THORNBERRY, Mr. ROSKAM, and Mr. FLEMING):

H.R. 464. A bill to provide for a 5-year SCHIP reauthorization for coverage of low-income children, an expansion of child health care insurance coverage through tax fairness, and a health care Federalism initiative, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GENE GREEN of Texas (for himself, Mr. LINCOLN DIAZ-BALART of Florida, and Mr. WAXMAN):

H.R. 465. A bill to amend titles XIX and XXI of the Social Security Act to permit States to ensure coverage without a 5-year delay of certain children and pregnant women under the Medicaid program and CHIP; to the Committee on Energy and Commerce.

By Mr. DOGGETT (for himself, Mr. BISHOP of New York, Mr. EDWARDS of Texas, Mr. FILNER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. McGOVERN, and Mr. ORTIZ):

H.R. 466. A bill to amend title 38, United States Code, to prohibit discrimination and acts of reprisal against persons who receive treatment for illnesses, injuries, and disabilities incurred in or aggravated by service in the uniformed services; to the Committee on Veterans' Affairs.

By Ms. SPEIER (for herself and Ms. ESHOO):

H.R. 467. A bill to put State and local governments and other public entity or instrumentality established under State law in the same position they would have been in had the Secretary of the Treasury and the Board of Governors of the Federal Reserve System provided emergency financial assistance to Lehman Brothers Holdings Inc. by requiring the Secretary of the Treasury to purchase bonds issued by such financial institution, and for other purposes; to the Committee on Financial Services.

By Ms. SCHAKOWSKY:

H.R. 468. A bill to expand, train, and support all sectors of the health care workforce to care for the growing population of older individuals in the United States; to the Committee on Energy and Commerce, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HALL of Texas:

H.R. 469. A bill to encourage research, development, and demonstration of technologies to facilitate the utilization of water produced in connection with the development of domestic energy resources, and for other purposes; to the Committee on Science and Technology.

By Mr. GARRETT of New Jersey (for himself, Mr. PRICE of Georgia, and Mr. JORDAN of Ohio):

H.R. 470. A bill to amend the Internal Revenue Code of 1986 to provide for permanent tax incentives for economic growth; to the Committee on Ways and Means, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ALTMIRE (for himself and Mr. TIM MURPHY of Pennsylvania):

H.R. 471. A bill to amend the Trade Act of 1974 to provide for a limitation on presidential discretion with respect to actions to address market disruption; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BACA:

H.R. 472. A bill to reform the Troubled Assets Relief Program of the Secretary of the Treasury by establishing the Family Foreclosure Rescue Corporation modeled on the successful Home Owner's Loan Corporation, and to purchase and insure home mortgage loans for the purposes of providing relief to homeowners, restoring stability to the financial system, preventing further harm to the economy, and protecting taxpayers; to the Committee on Financial Services, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BORDALLO (for herself, Mr. FALOMAVAEGA, Mrs. CHRISTENSEN, Mr. PIERLUISI, and Mr. SABLAN):

H.R. 473. A bill to amend the Internal Revenue Code of 1986 to extend eligibility under the new markets tax credit for community development entities created or organized in American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, and the Virgin Islands; to the Committee on Ways and Means.

By Mr. BOREN (for himself and Mr. SULLIVAN):

H.R. 474. A bill to amend the Internal Revenue Code of 1986 to permanently extend the

Indian employment credit and the depreciation rules for poverty used predominantly within an Indian reservation; to the Committee on Ways and Means.

By Mr. ELLISON (for himself, Mr. WALZ, Mr. OBERSTAR, and Ms. MCCOLLUM):

H.R. 475. A bill to amend the Internal Revenue Code to qualify formerly homeless youth who are students for purposes of low income housing tax credit; to the Committee on Ways and Means.

By Mr. AL GREEN of Texas (for himself, Ms. WATERS, Mr. ELLISON, Mr. CLAY, Mr. HINOJOSA, Mr. MEEK of Florida, Mr. LARSON of Connecticut, Mr. SIRES, Mr. SERRANO, Mr. PASTOR of Arizona, Mr. CLEAVER, Mr. MCGOVERN, Ms. EDWARDS of Maryland, Mr. MORAN of Virginia, Mr. CARNAHAN, Mr. GONZALEZ, and Ms. SCHAKOWSKY):

H.R. 476. A bill to authorize funds to prevent housing discrimination through the use of nationwide testing, to increase funds for the Fair Housing Initiatives Program, and for other purposes; to the Committee on Financial Services.

By Mr. JORDAN of Ohio:

H.R. 477. A bill to require the submission by the President of recommendations and proposed legislation to modernize, consolidate, reprioritize, and where necessary, terminate Federal programs, agencies, and activities; to the Committee on Oversight and Government Reform.

By Mr. JORDAN of Ohio:

H.R. 478. A bill to amend the Inspector General Act of 1978 to require annual reviews by Inspectors General of the operations, efficiency, and effectiveness of Federal programs; to the Committee on Oversight and Government Reform.

By Mr. MATHESON (for himself, Mr. KING of New York, Mrs. CAPPAS, Mr. REICHERT, and Ms. CASTOR of Florida):

H.R. 479. A bill to amend the Public Health Service Act to provide a means for continued improvement in emergency medical services for children; to the Committee on Energy and Commerce.

By Mr. MICA (for himself, Mr. BILIRAKIS, Mr. BOYD, Ms. CORRINE BROWN of Florida, Ms. GINNY BROWN-WAITE of Florida, Mr. BUCHANAN, Ms. CASTOR of Florida, Mr. CRENSHAW, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. GRAYSON, Mr. HASTINGS of Florida, Mr. KLEIN of Florida, Ms. KOSMAS, Mr. MACK, Mr. MEEK of Florida, Mr. MILLER of Florida, Mr. POSEY, Mr. PUTNAM, Mr. ROONEY, Ms. ROS-LEHTINEN, Mr. STEARNS, Ms. WASSERMAN SCHULTZ, Mr. WEXLER, and Mr. YOUNG of Florida):

H.R. 480. A bill to establish the St. Augustine 450th Commemoration Commission, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. OBERSTAR:

H.R. 481. A bill to revise the authorized route of the North Country National Scenic Trail in northeastern Minnesota to include existing hiking trails along Lake Superior's north shore and in Superior National Forest and Chippewa National Forest, and for other purposes; to the Committee on Natural Resources.

By Mr. POE of Texas (for himself, Mr. EHLERS, Mr. BROWN of South Carolina, Mr. MCCOTTER, Mr. MCHENRY, Ms. FALLIN, Mr. LINDER, Mr. SESTAK, Mr. LAMBORN, Mrs. MILLER of Michigan, Mrs. BACHMANN, and Mr. GALLEGLY):

H.R. 482. A bill to authorize the rededication of the District of Columbia War Memo-

rial as a National and District of Columbia World War I Memorial to honor the sacrifices made by American veterans of the World War I; to the Committee on Natural Resources.

By Mr. POE of Texas (for himself, Mr. COSTA, Mr. BRADY of Pennsylvania, Mr. CARNEY, Mr. COURTNEY, Mr. DAVIS of Tennessee, Mr. GRIJALVA, Ms. HIRONO, Mr. LOBIONDO, Mr. LOEBSACK, Mrs. MALONEY, Ms. MATSUI, Mr. MOORE of Kansas, Ms. MOORE of Wisconsin, Mr. MORAN of Virginia, Ms. NORTON, Mr. PAUL, Mr. PAYNE, Mr. WALZ, Mr. WU, Mr. HOLDEN, Mr. MCGOVERN, Ms. CORRINE BROWN of Florida, Mr. MICHAUD, Mr. MCCAUL, Ms. EDWARDS of Maryland, and Mr. JOHNSON of Georgia):

H.R. 483. A bill to safeguard the Crime Victims Fund; to the Committee on the Budget, and in addition to the Committees on Rules, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROGERS of Michigan (for himself, Mr. ABERCROMBIE, Mr. ADERHOLT, Mr. BACHUS, Mr. BARTLETT, Mr. BOSWELL, Mr. BRADY of Pennsylvania, Mr. ISRAEL, Ms. JACKSON-LEE of Texas, Mr. LOBIONDO, and Mr. PAUL):

H.R. 484. A bill to require the Secretary of Defense to develop and implement a plan to provide chiropractic health care services and benefits for certain new beneficiaries as part of the TRICARE program; to the Committee on Armed Services.

By Ms. ROS-LEHTINEN:

H.R. 485. A bill to strengthen existing legislation sanctioning persons aiding and facilitating nonproliferation activities by the Governments of Iran, North Korea, and Syria, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, the Judiciary, Oversight and Government Reform, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER:

H.R. 486. A bill to amend title 28, United States Code, to provide an Inspector General for the judicial branch, and for other purposes; to the Committee on the Judiciary.

By Mr. SKELTON:

H.R. 487. A bill to waive the 35-mile requirement for designation of a critical access hospital under the Medicare program; to the Committee on Ways and Means.

By Mr. STUPAK:

H.R. 488. A bill to decrease the matching funds requirement and authorize additional appropriations for Keweenaw National Historical Park in the State of Michigan; to the Committee on Natural Resources.

By Mr. THORNBERRY:

H.R. 489. A bill to improve the conduct of strategic communication by the Federal Government; to the Committee on Foreign Affairs.

By Mr. THORNBERRY:

H.R. 490. A bill to require a quadrennial review of the diplomatic strategy and structure of the Department of State and its related agencies to determine how the Department can best fulfill its mission in the 21st century and meet the challenges of a changing world; to the Committee on Foreign Affairs.

By Mr. WELCH:

H.R. 491. A bill to direct the Secretary of Transportation to waive non-Federal share requirements for certain transportation pro-

grams and activities through September 30, 2009; to the Committee on Transportation and Infrastructure.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. HONDA, Mr. LEWIS of Georgia, Mr. MCGOVERN, Mr. CAPUANO, Mr. HINCHEY, Ms. BORDALLO, and Mr. MURPHY of Connecticut):

H. Con. Res. 20. Concurrent resolution expressing the sense of Congress that the global use of child soldiers is unacceptable and that the international community should find remedies to end this practice; to the Committee on Foreign Affairs.

By Mr. GEORGE MILLER of California (for himself, Mr. MCKEON, Mr. HINOJOSA, Mr. ALTMIRE, Mr. BISHOP of New York, Mr. CASTLE, Ms. CLARKE, Mr. COURTNEY, Mrs. DAVIS of California, Mr. EHLERS, Mr. GRIJALVA, Mr. HOLT, Mr. KILDEE, Mr. KUCINICH, Mr. LOEBSACK, Mrs. MCCARTHY of New York, Mrs. MCMORRIS RODGERS, Mr. PETRI, Mr. POLIS of Colorado, Mr. SARBANES, Mr. SCOTT of Virginia, Ms. SHEA-PORTER, Ms. WOOLSEY, Mr. WU, Ms. BORDALLO, Mr. FATTAH, Mr. LANGEVIN, Mrs. MALONEY, Mr. MCGOVERN, Mr. MORAN of Virginia, Mr. VAN HOLLEN, Mr. WAXMAN, Mr. HINCHEY, and Mr. SIRES):

H. Res. 50. A resolution honoring the life of Claiborne Pell, distinguished former Senator from the State of Rhode Island; to the Committee on Education and Labor; considered and agreed to.

By Mr. LARSON of Connecticut:

H. Res. 51. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. MCCLINTOCK:

H. Res. 54. A resolution celebrating the life of President Ronald Wilson Reagan on what would have been the anniversary of his 98th birthday; to the Committee on Oversight and Government Reform.

By Mr. ROYCE (for himself and Ms. HARMAN):

H. Res. 55. A resolution expressing support for the designation of a National Prader-Willi Syndrome Awareness Month to raise awareness of and promote research into this challenging disorder; to the Committee on Energy and Commerce.

By Ms. LINDA T. SANCHEZ of California (for herself, Mr. EHLERS, Ms. BORDALLO, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MOORE of Kansas, Ms. SUTTON, Mr. THOMPSON of Mississippi, Mr. TOWNS, Mr. WU, Mr. CASTLE, and Mr. LOEBSACK):

H. Res. 56. A resolution expressing support for designation of the week of February 2 through February 6, 2009, as "National School Counseling Week"; to the Committee on Education and Labor.

By Mr. SIRES (for himself, Ms. WASSERMAN SCHULTZ, Mr. PAYNE, Mr. SERRANO, Mr. REYES, Mr. PALLONE, Mrs. NAPOLITANO, Mr. MCGOVERN, Mr. HINOJOSA, Mr. HINCHEY, Mr. GRIJALVA, and Ms. BORDALLO):

H. Res. 57. A resolution expressing the importance of swimming lessons and recognizing the danger of drowning in the United States, especially among minority children; to the Committee on Energy and Commerce.

By Mr. STEARNS (for himself, Mr. CRENSHAW, Mr. ROONEY, Mr. MACK, Ms. ROS-LEHTINEN, Ms. GINNY BROWN-WAITE of Florida, Mr. BUCHANAN, Mr. LINCOLN DIAZ-BALART of Florida, Mr. BILIRAKIS, Mr. PUTNAM, Mr. HASTINGS of Florida, Ms. CASTOR of Florida, Mr. YOUNG of Florida, Ms. CORRINE BROWN of Florida, Mr. GRAYSON, Mr.

WEXLER, Mr. MICA, Ms. WASSERMAN SCHULTZ, Ms. KOSMAS, Mr. KLEIN of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. POSEY, Mr. BOYD, Mr. MILLER of Florida, Mr. MEEK of Florida, and Mr. WHITFIELD):

H. Res. 58. A resolution commending the University of Florida Gators for winning the Bowl Championship Series National Championship Game; to the Committee on Education and Labor.

### MEMORIALS

Under clause 3 of rule XII,

1. The SPEAKER presented a memorial of the Senate of Michigan, relative to Senate Concurrent Resolution No. 31, memorializing Congress to reduce the price of traditional passports, by directly lowering the cost to consumers or by offering fully refundable federal income tax deductions to citizens who live in border states; to the Committee on Foreign Affairs.

### PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. MARKEY of Massachusetts introduced a bill (H.R. 492) for the relief of Esther Karange; which was referred to the Committee on the Judiciary.

### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 13: Mr. CARNAHAN.  
 H.R. 14: Ms. BORDALLO.  
 H.R. 16: Ms. ROS-LEHTINEN, Mr. WEXLER, Mr. YOUNG of Florida, and Mr. CRENSHAW.  
 H.R. 20: Mr. FILNER.  
 H.R. 21: Mr. SHERMAN, Mr. GRIJALVA, Mrs. MALONEY, and Mr. PAYNE.  
 H.R. 23: Mr. KING of New York.  
 H.R. 25: Mr. MORAN of Kansas.  
 H.R. 31: Mr. THOMPSON of Mississippi, Mr. VELÁZQUEZ, Mr. MEEKS of New York, Mr. CLAY, Mr. GONZALEZ, Mr. KILDEE, Ms. BALDWIN, Ms. DEGETTE, Mr. CLEAVER, Ms. RICHARDSON, Mr. LANGEVIN, and Mr. INSLEE.  
 H.R. 32: Mr. RODRIGUEZ.  
 H.R. 81: Mr. MORAN of Virginia.  
 H.R. 106: Mr. BRADY of Pennsylvania, Mrs. MCCARTHY of New York, Mr. HONDA, and Ms. ROS-LEHTINEN.  
 H.R. 111: Mr. BURTON of Indiana, Mr. GALLEGLY, Ms. GRANGER, Mr. WELCH, Mr. KILDEE, Mr. BILBRAY, Mr. ALTMIRE, Mr. CARDOZA, Mr. FRELINGHUYSEN, Mr. PITTS, Mr. BRALEY of Iowa, and Mr. PATRICK J. MURPHY of Pennsylvania.  
 H.R. 124: Mr. KINGSTON.  
 H.R. 137: Mr. MCHENRY, Mrs. BLACKBURN, Mr. FRANKS of Arizona, Mr. WESTMORELAND, Mr. BURTON of Indiana, Mr. ROHRABACHER, and Mr. LINDER.  
 H.R. 138: Mr. KINGSTON.  
 H.R. 143: Mr. COLE.  
 H.R. 147: Mr. LOEBACK, Mr. CARNEY, Ms. EDDIE BERNICE JOHNSON of Texas, and Ms. ROS-LEHTINEN.  
 H.R. 153: Mr. PAUL.  
 H.R. 155: Mr. PAUL.  
 H.R. 175: Mr. ISRAEL, Mr. ROHRABACHER, Mr. HINCHEY, and Ms. BORDALLO.  
 H.R. 190: Mr. HODES.

H.R. 205: Mr. BROUN of Georgia, Mr. ISSA, Mr. GOHMERT, Mr. KLINE of Minnesota, Ms. ROS-LEHTINEN, Mr. ROGERS of Kentucky, Mr. NEUGEBAUER, Ms. FOXX, Mr. LATTA, Mr. GERLACH, Mr. BURTON of Indiana, Mr. BILBRAY, Mrs. MILLER of Michigan, Mr. CULBERSON, and Mr. FRANKS of Arizona.

H.R. 226: Mr. YOUNG of Florida, Mr. THOMPSON of Pennsylvania, Mr. DUNCAN, Mr. BROWN of South Carolina, Mrs. BIGGERT, Mr. TURNER, Mr. LATHAM, Mrs. BACHMANN, and Mr. BARRETT of South Carolina.

H.R. 235: Mr. LEWIS of California, Mr. PRICE of North Carolina, Mr. GONZALEZ, Mr. CALVERT, Mr. DUNCAN, Mr. ALEXANDER, Mr. WHITFIELD, Mr. MORAN of Kansas, Mr. NEUGEBAUER, Mr. SHMKUS, Mr. THOMPSON of California, and Mr. HILL.

H.R. 292: Ms. HERSETH SANDLIN and Mr. BILBRAY.

H.R. 293: Mr. BILBRAY.

H.R. 294: Mr. BILBRAY.

H.R. 295: Mr. BILBRAY.

H.R. 296: Mr. BILBRAY.

H.R. 297: Mr. BILBRAY.

H.R. 312: Mr. BOSWELL.

H.R. 331: Ms. WATERS.

H.R. 333: Mr. GORDON of Tennessee, Ms. HERSETH SANDLIN, Mr. BARTLETT, Mr. EDWARDS of Texas, and Mr. CARNEY.

H.R. 365: Mr. FALCOMA VAEGA.

H.R. 385: Mr. GRIFFITH.

H.R. 386: Mr. PERRIELLO, Mr. VAN HOLLEN, Mr. STARK, Mr. THOMPSON of California, Mr. LEWIS of Georgia, Mr. CROWLEY, Ms. SCHWARTZ, and Mr. YARMUTH.

H.R. 412: Mr. BISHOP of New York, Mr. WEINER, and Mr. HALL of New York.

H.R. 416: Ms. CLARKE and Mr. MCDERMOTT.

H.R. 417: Ms. CLARKE and Ms. WATERS.

H.R. 420: Mr. BOOZMAN.

H.R. 430: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KENNEDY, Mr. PLATTS, and Mr. CONAWAY.

H.R. 433: Mr. PLATTS and Mr. SENSENBRENNER.

H.R. 444: Mr. COHEN, Mr. PAUL, Mr. LEWIS of Georgia, and Mr. KUCINICH.

H.J. Res. 3: Mr. GOHMERT, Mr. BROUN of Georgia, Mr. PRICE of Georgia, Mr. MCKEON, Mr. NEUGEBAUER, Ms. GINNY BROWN-WAITE of Florida, Mr. POE of Texas, Mr. MANZULLO, Mr. BILBRAY, Mr. CONAWAY, Mr. YOUNG of Alaska, Mr. FRANKS of Arizona, Mrs. LUMMIS, Mr. SENSENBRENNER, Mr. CARTER, Mr. CULBERSON, Mr. MCCLINTOCK, Mr. BURTON of Indiana, Mr. HELLER, and Mr. FORBES.

H. Con. Res. 17: Ms. CORRINE BROWN of Florida, Ms. MOORE of Wisconsin, Mr. WATT, Mr. RANGEL, Ms. WATERS, Ms. CLARKE, and Mr. BISHOP of Georgia.

H. Res. 18: Mr. SIREN, Mr. SARBANES, Mr. LARSEN of Washington, Ms. MATSUI, Ms. BERKLEY, Ms. DELAURIO, Mr. HIGGINS, Ms. PINGREE of Maine, Mr. SCHIFF, Mr. PAUL, Ms. WASSERMAN SCHULTZ, Mr. CONYERS, Mr. WALZ, Mr. ELLISON, Mr. HARE, Mrs. DAVIS of California, Ms. SUTTON, Mr. TANNER, Mr. MELANCON, Mr. WELCH, Mr. WEXLER, Mr. MITCHELL, Mr. HODES, Ms. MOORE of Wisconsin, Ms. BALDWIN, Mr. DELAHUNT, Mr. BERMAN, Mrs. CAPPAS, Ms. MCCOLLUM, Mrs. LOWEY, Ms. HIRONO, and Mr. ROTHMAN of New Jersey.

H. Res. 19: Mr. REICHERT.

H. Res. 31: Mr. HINCHEY, Ms. BORDALLO, Mr. ETHERIDGE, Mr. MCHENRY, Mr. DAVIS of Illinois, Mr. WHITFIELD, Mr. HOLT, Ms. SUTTON, and Mr. MORAN of Virginia.

H. Res. 36: Mr. GRIJALVA, Ms. VELÁZQUEZ, Ms. CASTOR of Florida, and Mrs. MALONEY.

H. Res. 39: Mr. AKIN, Ms. HIRONO, Mr. STUPAK, Mr. MCCAUL, Mr. TIBERI, Ms. BORDALLO,

Mr. WILSON of South Carolina, Mr. MCHENRY, Mr. HOLDEN, Ms. SUTTON, Mr. HOLT, Mr. DENT, Ms. MCCOLLUM, Mr. SESSIONS, Mr. GINGREY of Georgia, Mr. FORTENBERRY, Mr. RYAN of Ohio, Mr. DOYLE, Mr. EHLERS, Mr. DONNELLY of Indiana, and Mr. TERRY.

H. Res. 40: Mr. HILL, Ms. BEAN, Mr. CHILDERS, Mr. SHULER, Ms. HERSETH SANDLIN, Mr. POMEROY, Mr. TAYLOR, Mr. ELLSWORTH, Mr. COOPER, Mr. MOORE of Kansas, Ms. GIFFORDS, Mr. BACA, Mr. BOYD, Mr. BARROW, Mr. MICHAUD, Mr. CHANDLER, Mr. ROSS, Mr. CUELLAR, Mr. CARNEY, Mr. MELANCON, Mr. BISHOP of Georgia, Mr. KAGEN, Mr. GRIFFITH, Mr. KIND, Mr. KRATOVL, Mr. DONNELLY of Indiana, Mr. MCINTYRE, Mr. WILSON of Ohio, Mr. MARSHALL, Ms. HARMAN, Ms. LORETTA SANCHEZ of California, Mr. SPACE, Mr. DAVIS of Tennessee, Mr. THOMPSON of California, Mr. COSTA, and Mr. BRIGHT.

H. Res. 41: Mr. WAXMAN, and Mr. PRICE of North Carolina.

H. Res. 43: Ms. KAPTUR, Mrs. MCCARTHY of New York, Ms. LEE of California, Mr. HONDA, Mr. HINOJOSA, Mr. GUTIERREZ, Mr. SIREN, Mr. GRIJALVA, Mr. LEWIS of Georgia, Mr. BACA, and Mr. GEORGE MILLER of California.

H. Res. 44: Mr. PLATTS.

H. Res. 45: Mr. MORAN of Virginia.

H. Res. 46: Mr. MORAN of Virginia, and Ms. LORETTA SANCHEZ of California.

H. Res. 47: Mr. SMITH of New Jersey, Mr. KENNEDY, and Ms. EDDIE BERNICE JOHNSON of Texas.

### CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

#### OFFERED BY MR. GEORGE MILLER OF CALIFORNIA

The provisions that warranted a referral to the Committee on Education and Labor in H.R. 2, the Children's Health Insurance Program Reauthorization Act of 2009, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

#### OFFERED BY MR. WAXMAN

The provisions that warranted a referral to the Committee on Energy and Commerce in H.R. 2, the Children's Health Insurance Program Reauthorization Act of 2009, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

#### OFFERED BY MR. RANGEL

The provisions that warranted a referral to the Committee on Ways and Means in H.R. 2, the Children's Health Insurance Program Reauthorization Act of 2009, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

#### OFFERED BY MR. FRANK OF MASSACHUSETTS

The provisions that warranted a referral to the Committee on Financial Services, in H.R. 384, the TARP Reform and Accountability Act, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.



OFFERED BY MR. RANGEL

The provisions that warranted a referral to the Committee on Ways and Means, in H.R. 384, the TARP Reform and Accountability Act, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

OFFERED BY MR. CONYERS

The provisions that warranted a referral to the Committee on the Judiciary, in H.R. 384, the TARP Reform and Accountability Act, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

DELETIONS OF SPONSORS FROM  
PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 226: Mr. THOMPSON of California.



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 111<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 155

WASHINGTON, TUESDAY, JANUARY 13, 2009

No. 7

## Senate

The Senate met at 10 a.m. and was called to order by the Honorable JON TESTER, a Senator from the State of Montana.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord God Almighty, You have made all the people of the Earth for Your glory, to serve You in freedom and peace. Today, as our lawmakers seek to serve, give them a zeal for justice and the strength of forbearance, that they may accomplish Your purposes. Let them feel the constancy of Your presence, as You guide them with a higher wisdom. May each success prompt them to greater undertakings for human betterment. Lord, renew their commitment to pray not only for those with whom they agree but also for those with whom they disagree. Bring our Senators to the end of this day with their hearts at peace with You.

We pray in Your strong Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable JON TESTER led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, January 13, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable JON TESTER, a Senator from the State of Montana, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mr. TESTER thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, following leader remarks, there will be a period of morning business for up to 1 hour, with Senators permitted to speak for up to 10 minutes each. The majority will control the first 30 minutes, and the Republicans will control the final 30 minutes. Following morning business, the Senate will resume consideration of S. 22, the wilderness bill. Yesterday, I filed cloture on the bill. The cloture vote is expected to occur an hour after the Senate convenes tomorrow. We will be in recess today from 12:30 p.m. until 2:15 p.m. for our weekly caucus luncheons. The filing deadline for first-degree amendments is at 2:30 p.m. today.

Mr. President, I have had a discussion with Senator BINGAMAN this morning. He is going to see if there is something that can be worked out to have a limited number of amendments on the wilderness bill. He will proceed to work on that. If, in fact, he can work something out with those interested on the other side, then we will have a number of votes on that. If they cannot work that out, then, as has been indicated in the past, we will go to cloture tomorrow. If we can work something out there, we can have those votes today and final passage of the bill this afternoon.

We are going to move to the Ledbetter issue dealing with pay eq-

uity, the statute of limitations—call it whatever we wish. That is something we will move to this week. The Troubled Asset Relief Program, TARP, is now here with us, and there is a very strict deadline when we must finish that. We must have a vote on that by this Sunday. So we have our work cut out for us. We have a lot to do.

These are very exciting times, as we know, for our country. We have a new Congress. We have a new President. Senator MCCONNELL and I have done our utmost during these past many weeks to try to work together to get some things done here. We are now at a point where we have resolved, we believe, the issue relating to how committees are funded and what the ratios are going to be on the various committees, and it is easy for me to say that or Senator MCCONNELL to say that, but it has taken weeks of work to get that done. But we are moving forward. We hope the work of this next week will be in keeping with how we intend to maintain a degree of bipartisanship in the Senate during this Congress. We hope that, in fact, is the case. We will do our utmost to comply with that.

### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

### WORK OF THE SENATE

Mr. MCCONNELL. Mr. President, a couple brief observations with reference to what the Democratic leader just indicated. I want to say I appreciate the way in which we are going forward here. When he and I first came to the Senate, the notion that you would pass bills without amendment was foreign to everyone. I think we are getting off to a good start here with a kind of reestablishment of the Senate as it used to operate with amendments

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S319

being appropriate. As members of his party said when they were in the minority, the Senate is not the House. I think there is a growing appreciation on both sides of the aisle that we ought not to operate that way.

With regard to the organizing resolution, I agree with the majority leader that we are very close to being ready to move forward on that. It is a difficult process for the two of us, but I think we have gotten close to being at a point of completion, which is, of course, essential to beginning our business.

TARP

Now, on another matter, Mr. President, a few months ago some of our Nation's top economic minds came to the Capitol to tell us about an impending crisis. The crisis, of course, was the accumulation of toxic assets at banks here and around the world that threatened to paralyze America's economy, jeopardizing the livelihood of literally millions. Without action, we were told, the Nation faced certain calamity.

For many, the normal impulse would be to let the bad actors who caused this mess face up to their mistakes. But since millions of families and small business owners, who did nothing wrong, were caught up in the errors of the few, we decided, with some degree of reluctance, to approve funding for the Troubled Asset Relief Program, now commonly referred to as the TARP.

Fearful of waste and abuse, Republicans insisted on a number of taxpayer protections. We also insisted on releasing the money in two installments so we could review how the first one was spent before approving the second. Yesterday, a request for the second installment was made. I had an opportunity to talk to the incoming President about that matter yesterday.

Throughout this ordeal, I have not wavered on one basic principle: I voted for the first installment on the condition that it be used to prevent a systemic—a systemic—economic collapse affecting every single American. And I continue to believe this money should be used for the reason it was first approved. The current administration, regretfully, used these funds for the auto industry, a move I opposed. Now congressional Democrats are suggesting more of the same. The American people still do not have assurances that this money will not be wasted or misused to play favorites.

So far, the incoming administration has not said whether it plans to limit the funds to their original purpose or to expand their use to help specific industries. The taxpayers are eager to hear the new administration's plan, and so are Republicans in Congress. We will hear from the incoming administration soon. We will be happy to listen. They will have a receptive, albeit cautious, audience.

Mr. President, I yield the floor.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate shall proceed to a period of morning business for up to 1 hour, with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled by the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KYL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KYL. Mr. President, I ask unanimous consent that all the remaining time on the Democratic side be reserved.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### MINNESOTA SENATE ELECTION

Mr. KYL. Mr. President, I wish to speak briefly about the contest in Minnesota involving the Senate seat currently held by Senator NORM COLEMAN. Obviously, the other new Members of the Senate were sworn in last week, but this seat remains empty, a winner yet undeclared.

To be clear, under Minnesota law, that is the way it has to be right now because there is an election contest that has been filed in the courts, and under Minnesota law, therefore, neither the Secretary of State nor the Governor can declare the seat filled.

Senator COLEMAN had been declared the winner on election night and through the ensuing administrative canvassing process. But throughout the following State Canvassing Board stage of the proceedings, there were numerous inconsistencies and problems uncovered, and the board-certified totals were different. They are, obviously, at issue, and they are preliminary.

The Minnesota State Canvassing Board totals, for example, include more votes than voters in a significant number of the Minnesota precincts. So, clearly, there is something wrong, and it has to be resolved by the court.

The Coleman campaign has followed Minnesota election law in filing an election contest, and that comes before a three-judge panel in Minnesota before the end of this month.

The contest is based on significant errors. I wish to mention four of these

categories so folks will understand what is at issue.

First is newly discovered ballots which appeared for the first time during the recount and are included in the State Canvassing Board totals.

Second is missing ballots supposedly tallied on election night but which could not be found during the recount process—obviously a problem.

Third is double-counting of duplicate and original ballots of the same voter during the recount process.

Fourth is wrongly rejected absentee ballots and inconsistent standards regarding what constitutes a wrongly rejected absentee ballot applied in different locations throughout the State.

Let me discuss each of these briefly in turn.

On the newly discovered ballots, there are 171 such ballots that appeared without explanation several days after the election in Ramsey County precinct Maplewood P6. Election officials were unable to reconcile the number of votes cast with the number of voters signed in, but the board, nevertheless, included the additional votes in Al Franken's favor in its totals. Furthermore, the board directed that this issue should properly be dealt with during the contest phase, and that, of course, is now occurring.

On the missing ballots, there were 133 ballots in Hennepin County that could not be found during the recount and were declared "missing," despite the fact that there are any number of possible reasons for the change, including the possibility that the ballots never existed in the first place. But instead of following a consistent standard and including the new recount total, the board reverted to election night totals, again resulting in more votes for Al Franken.

On the double-counting, in at least 25 precincts in Minnesota, there are more votes than voters in the Canvassing Board's totals, and there are 150 separate incident logs prepared by local recount officials describing issues involving duplicate and original ballot counting. This is due to the counting of both the voter's original ballot and a duplicate ballot which was created to take the place of the original ballot, resulting in double-counting of some votes when both of those ballots are included in the total. That is, obviously a blatant error and one that threatens the sanctity of "one person, one vote." Obviously, most people get one vote. Those who got more than one vote have an advantage for whom they cast their ballot.

Both the Canvassing Board and the Minnesota Supreme Court directed the issue to be dealt with during the election contest. So that issue is now being dealt with.

Finally, on the category of wrongly rejected absentee ballots, during the recount process, a "fifth pile" was created for absentee ballots that were rejected but not because one of the four reasons stipulated by Minnesota election law. This fifth pile was requested

by the Franken campaign at the time they were trailing in the count, and the Canvassing Board granted the request without issuing any direction to ensure consistency among the counties in their review. A vast number of these ballots, which happened to generate more votes for Franken, were included in the Canvassing Board total. However, the board also refused to review over 160 ballots requested by the Coleman campaign.

We can see there are obviously some issues to be resolved. The three-judge panel will be appointed. The campaigns will convene with the panel, set forth the ground rules for the election contest trial, and then that will occur.

There are no stipulations for when the proceedings must be completed, and estimations are, at least from folks in Minnesota, that it could take a month, if not more.

As a part of that context, the Coleman campaign has requested the review of hundreds more ballots that may have been wrongly rejected. Because of the size of the pool of ballots to be reviewed and the erroneous recount totals including questionable votes for Franken, Senator COLEMAN has expressed confidence that the numbers will revert back to where they were on election night and his lead will be restored and then he would be declared the winner.

Obviously, this is for the Canvassing Board and the court in Minnesota to resolve. It is not for us to prejudge the result at this time. Unfortunately, the majority leader and his staff have publicly stated they would try to seat Al Franken while the contest is still proceeding, despite the fact there is not a signed certificate, which is required of every Senator. This dates back to 1884. This action, of course, was blocked, and we presume the process will continue in regular order to await the result of the proceedings.

It is true Al Franken attempted to declare himself the winner. Yesterday, the campaign requested the Governor and Secretary of State send him a certificate so he could be seated. But it was, of course, not granted because both officials indicated correctly that would directly violate State law.

So we are left with the matter of a vacancy in Minnesota, with the issue to be resolved by the people in Minnesota, properly under their law, the Canvassing Board, and the three-judge court. For my part, I certainly hope this phase will not fall prey to inconsistencies and problems that have led some experts and newspaper editorials to claim the election process needs to be fundamentally reformed. If it is done in the proper way and due care for the evidence that is presented, then hopefully everyone will be satisfied with the result and willing to abide by that result. It will then come to the Senate, and we will seat the appropriate candidate.

The Republicans ask for nothing more. We are certainly hopeful our

former colleague and soon-to-be current colleague, Senator COLEMAN, will resume his seat. But that is for the process in Minnesota to determine, not for that to be determined in some arbitrary way in the Senate.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. LEAHY. Mr. President, how much time is reserved for this side of the aisle?

The ACTING PRESIDENT pro tempore. There is 7 minutes 40 seconds.

Mr. LEAHY. I thank the distinguished Presiding Officer, my good friend from Montana.

#### JUSTICE DEPARTMENT REPORT

Mr. LEAHY. Mr. President, today we received a report from the Department of Justice's Office of the Inspector General and Office of Professional Responsibility about their investigation of allegations of politicized hiring and other improper personnel actions in the Civil Rights Division.

I held hearings on this situation. At the time, there was a Mr. Bradley Schlozman who testified. I stated, at the time, that I did not find his testimony credible.

Today's report confirms some of our worst fears about the Bush administration's political corruption of the Justice Department. Not only did senior Republican appointees violate Federal law by hiring based on politics in the Civil Rights Division, they also lied about it. Indeed, they lied about it under oath when they were called to explain themselves to Congress.

I am particularly disturbed about the findings that a senior Justice Department appointee, a very senior Justice Department appointee, Bradley Schlozman, made false statements under oath when appearing before the Senate Judiciary Committee. Lying to Congress undermines the very core of our constitutional principles and blunts the American people's right to open and transparent Government. It is one thing to have a witness come and say they disagree with the Members of Congress. That is fine. Everybody has a constitutional right to do that. Nobody has a right to lie under oath. Nobody has the right to break the law. And certainly a senior member of the Justice Department should not be able to consider himself above the law.

Not only did Mr. Schlozman lie to me and the Committee, but he then refused to cooperate with the Justice Department's own internal oversight offices' investigation into illegal hiring practices in the Department's Civil Rights Division. The clear determination that he broke the law corrodes our trust in our system of justice and in the Nation's top law enforcement agency. If somebody can break the law in our Nation's top law enforcement agency, the Department of Justice, what does that say to the rest of Americans? His actions, in fact, undermine the very mission of the Department's Civil

Rights Division, which is charged with enforcing Federal law and prohibiting discrimination.

A strong and independent Civil Rights Division has long been crucial to the enforcement of our precious civil rights laws, and experienced and committed career attorneys have always been the heart and soul of that Division. In the past, the people who worked there, no matter how much time you spent with them, you wouldn't know if they were Republicans or Democrats. All you would know is that these folks, who are among the brightest and best lawyers in the country, are dedicated to serving the United States of America and upholding our laws.

Contrary to those traditions, however, which we have had in both Republican and Democratic administrations, this report details troubling revelations of political appointees who marginalize and force out career lawyers because of ideology, and, corrupt the hiring process for career positions. It should come as no surprise that the result, and of course the intent, of this political makeover of the Civil Rights Division has been a dismal—a dismal—civil rights enforcement record.

This report is just one of the final chapters in the regrettable legacy of the Bush administration at main Justice, and it reinforces the need for new leadership.

Now, more than ever, it is necessary to confirm new leadership at the Justice Department, starting with Attorney General-designee Eric Holder.

I compliment the Department's Office of Inspector General. They did not allow politics to stand in their way. They went and investigated this situation.

I do wish the current U.S. Attorney's Office, appointed by this administration, had decided to prosecute someone for these deplorable acts. I think the only way you stop such blatant criminal violations, especially by people who know better, people who are sworn to uphold the law, is that they know they will go to jail for breaking the law. That is what should have been done. They broke the law in the Bush administration, and the Bush administration decided not to prosecute, and I think that raises real questions. Prosecution should be done no matter who breaks the law.

I recall one of the people who testified in that same investigation who said: We swear an oath to President George Bush. I said: No, you swear an oath to uphold the Constitution. Mr. President, that Constitution is the Constitution you are sworn to uphold and I am sworn to uphold. It is a Constitution that reflects all Americans. The Government is not of a person; indeed, whether you support an individual or not, the Government is for all Americans. The Constitution is for all Americans. When somebody deliberately, purposely, sets out to subvert the Constitution of the United States

and then lies about it—lies about it, Mr. President—I find that a heinous crime.

When we see some child who steals a car, they will be prosecuted, as probably they should. But when you have a key member of the Department of Justice who lies under oath, who subverts the Constitution of the United States, that is all the more reason to prosecute that person. What Mr. Schlozman did was reprehensible, it was disgusting, and it was wrong, but it also contradicts the very core of America's principles.

The distinguished Presiding Officer, like me, had the great opportunity to serve as a prosecutor, and I have every reason to believe he did not show fear or favor when he brought a prosecution, as I did not. I did not show fear or favor. Most prosecutors do not. Yet here we have somebody who is part of the Justice Department lie under oath and do it in a way to cover up and subvert the very laws that protect all of us. Our civil rights laws are on the books to protect all of us. It protects all of us—White, Black, brown—no matter what our race, our creed. It protects all of us.

What has marked this country since the time I was a young lawyer in the 1960s has been our adherence to those civil rights laws. We can't go back to a time where they are enforced for some and not for others.

Mr. President, I hope people read—I will not put it in the RECORD because it is available—this investigation of allegations of politicized hirings and other improper political actions in the Civil Rights Division of the Department of Justice. It is chilling. I am going to suggest that every new person coming into the Department of Justice read this investigation. It is a handbook—not of what to do—but a handbook of what not to do.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LIEBERMAN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. VITTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### TARP

Mr. VITTER. Mr. President, yesterday, President Bush announced that he was sending to Congress formal notice regarding use of the second half of TARP, the Troubled Asset Relief Program. As you know, under that legislation, which Congress passed over my objection last year, once \$350 billion of the fund—half of the fund—is spent, and the administration wants to begin spending the second half of the fund—the second \$350 billion—the President has to formally notify Congress. Under the program, Congress has the oppor-

tunity to basically veto moving forward by affirmatively having to pass a resolution of disapproval.

Again, President Bush took that first step of formally notifying Congress yesterday and today.

I come to the Senate floor to announce that I am introducing a motion of disapproval, and I encourage my colleagues, Democrats and Republicans, to think very seriously about this matter and to join me in this motion of disapproval. In doing so, I am immediately joined by several colleagues, and I want to thank Senators BUNNING, SESSIONS, DEMINT, BARRASSO, and INHOPE for being original cosponsors with me of the resolution of disapproval.

When we debated this very important matter on this floor several months ago, I expressed serious concerns. I will not go through my comments then or my concerns, but unfortunately, sadly, many of them—virtually all—have been proven true. The history of this program—the Troubled Asset Relief Program—has indeed been very troubled, very concerning, and it raises far more questions and hesitations than it provides answers for our ailing economy. So as we revisit this issue, I cannot support moving forward with this very troubled program, primarily for five reasons.

First among those reasons is the most fundamental test we should bring to the matter: Has the program worked? I think it is very clear it has not worked. The purpose of the program was to ease the credit crisis. The entire focus of the program was to get credit on the streets of the American economy, to provide reasonable credit to consumers and businesses. Yet our economy is still gripped by a real credit crunch. So that fundamental purpose of the program, that fundamental test of the program has simply not been met.

Now, Mr. President, in this new year, and under the new administration, we are going to debate and act on other measures, particularly the stimulus plan, a stimulus plan which will spend upwards of \$1 trillion that President-elect Obama has talked about and begun to outline. Certainly, we must act on the economy. Certainly, we are in a very serious recession. Almost certainly, it is the most serious, the worst since World War II, and, certainly, the Federal Government needs to help lead the way, to be a big part of the solution to get us out of this deep financial recession. But as we move to a \$1 trillion stimulus program, why are we going to simply continue with a program that hasn't worked, spending another \$350 billion? Again, as we mount trillions of dollars of new deficit spending, deficits upon deficits, debt upon debt, surely we should think long and hard about continuing another \$350 billion of spending in a very troubled program which has not begun to meet its fundamental goal.

The second reason I would suggest we should not continue down this path is

that the entire program, as it was outlined to Congress, as it was explained to us by the Treasury Secretary and others, has never been implemented. It was thrown out the window even before it could begin to be implemented. As all of us remember, just a few months ago, when the Treasury Secretary proposed this idea before Congress, it was indeed supposed to be the Troubled Asset Relief Program under which the Government would buy troubled assets from a spectrum of financial institutions, get those assets off the books of the financial institutions, and make those institutions far healthier and far more able to extend credit to individuals and businesses across America.

That was the beginning, that was the middle, and that was the end of the program. That was what every explanation, every presentation was about as the Treasury Secretary, the Chairman of the Federal Reserve, and others came to Capitol Hill to explain this program over several weeks. It wasn't part of the program, it was the entire program. Yet within a couple of weeks of Congress passing the Troubled Asset Relief Program—again, over my objection—that plan was completely thrown out the window. Congress acts to pass a \$700 billion spending program, forging completely new ground in terms of economic policy and the Government's intervention in the market, and within a few weeks of that action, plan A is completely out the window and the Treasury Secretary sets about forming plan B and doing something fundamentally different than was presented to Congress.

I have suggested over the last several weeks, along with my colleagues, that alone should make the administration come back to Congress and get reauthorization for what is a completely new program. That, again, is my second reason we should not continue the TARP and continue going down this path and spending the second \$350 billion of this program.

The third reason I would offer is closely related to the second. As I said, within 2 weeks of Congress passing this legislation, the whole program changed. The entire concept of buying troubled assets was out the window, and Treasury had a brandnew plan, which was never presented to Congress and never discussed in any level of detail. So what has happened is, the TARP has become a veritable slush fund for the administration to do whatever it wants with it, to use it in whatever way it wants. After throwing the TARP idea out the window, Treasury came up with a capital purchase program to purchase preferred stock and warrants of certain institutions. It also established a systematically significant failing institution program, allowing Treasury to invest in any financial instrument, including debt, equity, or warrants determined to be troubled assets. Now Treasury says it "continues to explore other programs, including those focused on insurance, foreclosure

mitigation, consumer lending, and more.”

This program has no definition, it has no limits, it is whatever Treasury and the administration want it to be. It is a wide open slush fund for whatever the perceived need or want is of the moment. Of course, the best example of that is use of funds from this program for the auto bailout. After explaining for weeks that this program was not designed to do anything like the auto bailout, and use of these funds in an auto bailout would be completely inappropriate, the Bush administration then proceeded to use some of this money on the auto bailout. It is wide open. It has no limits. It has become a slush fund for whatever the administration believes it has to do at the moment. That is not a proper way to move forward in terms of remedying the economy.

Fourth, we should end this program, and we should pass my resolution of disapproval because there has been no accountability whatsoever on this program. Remember, we spent a lot of time debating accountability months ago when this matter was before the Senate and before the House. There were all sorts of promises about accountability. There were all sorts of protections put in the bill regarding accountability. Yet what has that produced? That has produced the biggest embarrassment in terms of a lack of accountability, at least since Hurricane Katrina, and that is saying a lot.

The GAO and other watchdog groups report that the Treasury Department—the Treasury Department in charge of this fund—cannot even tell us precisely how the first \$350 billion has been spent. Treasury doesn’t know, much less the watchdogs of other protections Congress was supposed to have put in place.

Now, we hear all sorts of promises and commitments from congressional leaders and leaders of the Obama transition that this is all going to change: There is going to be real transparency, there is going to be real accountability, and we are going to know where every penny goes. I don’t doubt for a minute the goodwill and the honesty of those pronouncements. I am sure the congressional leaders and folks in the Obama transition who say these things mean it and want it. The problem is, I think folks were equally as sincere a few months ago, and it produced absolutely nothing in terms of transparency and accountability and protection of taxpayers’ hard-earned tax dollars.

Surely we should demand more than another round of promises. Surely at a minimum we need to see exactly what the plans for the second half of TARP are before we decide this matter. Surely we need to see the details of any new accountability program. Yet we have seen none of that. Yet we are scheduled, in the Senate, to vote on this resolution within days without having any ability to see those plans, to see

those protections, to see those new accountability measures before the vote. We cannot accept that. We must pass a motion of disapproval and only consider continuing this type of program if it is represented to Congress with those protections, with those detailed plans.

Finally, my fifth and final reason for urging all of my colleagues to join me in this resolution of disapproval is that, at its very core, TARP is a dangerous, heightened intervention of the Government in the private sector.

Let me restate what I said a few minutes ago. We are in the midst of a horrible recession, which is still getting worse. It is almost certainly the worst recession since World War II. Clearly, the Federal Government needs to play a leadership role in helping the country and the economy turn the corner. I do not doubt that for a minute. But the sort of intervention of TARP and actions in the Treasury Department over the last several months are fundamentally different from any other economic policy actions we take here at the Federal level. It is picking winners and losers. It is getting involved, not in the direction of the economy but in individual companies, in individual potential bankruptcies, in individual mergers and deals and acquisitions. That is a level and type of intervention that is fundamentally different from broad fiscal policy, from broad monetary policy. It really is moving the line significantly in terms of Government intervention in the private sector.

Going back to our original debate here in the Senate, that was one of my most fundamental reservations from the beginning with TARP, that type of detailed intervention—and, by the way, the invitation for malfeasance and corruption that it can bring when Government bureaucrats are making very important life-or-death economic decisions regarding individual firms and individual transactions. I do not think we should continue down that path. I think that path is riddled, littered with mistakes and troubling actions by the Federal Government picking winners and losers, getting involved in individual companies in a very direct way—individual transactions, putting the hand of the Government in the boardroom in that sort of really unprecedented way.

I urge all of our colleagues, Democrats and Republicans, to think carefully about this issue. We had a significant debate when this first came to Congress several months ago, and we had several votes on the matter. Obviously, eventually it passed without my support. But since then, we have seen a lot, we have learned a lot, and a lot has changed. Since then, virtually all of the arguments against the program have been borne out and new concerns and new questions have arisen. They go to my five points. The program has not eased credit on the street. The entire premise of the program was thrown out 2 weeks after Congress passed it. No. 3, it has become a catchall slush fund and

the purpose and parameters of the program change week to week. No. 4, there has been no accountability; Treasury cannot even tell us today precisely how the first \$350 billion was spent. No. 5, at its core this program is about Government intervention in a way we have not seen before, picking winners and losers.

I urge my colleagues to join in this resolution of disapproval so we can start anew, so we can put new protections in place, so we can act on the economy but not simply continue down this path and spend another \$350 billion, adding deficit on deficit, debt on debt, without a clear, positive result for American families.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### EXTENSION OF MORNING BUSINESS

Mr. CARDIN. Mr. President, I ask unanimous consent that morning business be extended for 15 minutes, equally divided between the Republicans and Democrats.

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

Mr. CARDIN. Mr. President, I then seek recognition under morning business.

The PRESIDING OFFICER. The Chair is pleased to recognize the Senator from Maryland.

#### NOMINATION OF ERIC HOLDER

Mr. CARDIN. Mr. President, I am honored to serve on the Judiciary Committee in this body. The last couple of years have been very difficult years in how the Department of Justice has been managed. We have seen abuses of civil liberties in the name of trying to protect the rights of our citizens when we have abused the rights of our citizens; we found the Department of Justice tried to justify the use of torture in this country; the manner in which detainees were treated; the politicizing of the Department of Justice—I could go on and on.

I thank Eric Holder for being willing to serve the public once again as President-elect Obama’s nominee for the office of Attorney General of the United States. I think Eric Holder is the right person at the right time for the Department of Justice, and I hope his confirmation process will move forward.

We need an independent Attorney General. During the Bush administration, we found that they politicized the Department of Justice in the firing of U.S. attorneys and in decisions as to



whether to proceed with criminal investigations. The list goes on and on. Eric Holder has demonstrated throughout his entire career the type of independence we need in the next Attorney General of the United States.

Let me give you one example. When the Independent Counsel who was investigating the President of the United States asked for additional authority, Eric Holder was the one who made that recommendation to proceed even though it was not popular at all with the President of the United States. It is that type of independence that we need in the next Attorney General of the United States. He brings broad experience as former judge, former U.S. attorney, and from the private sector.

We need to take politics out of the Department of Justice. During the Bush administration, we found that politics was very much interwoven into the personnel decisions made within the Department of Justice affecting career attorneys. That was not permitted, but it was done. We need the next Attorney General to be one who will make sure politics has no place in those types of personnel decisions.

Again, Eric Holder's career has shown his willingness to carry out his responsibilities in a nonpolitical way. He has handled major public corruption cases as a U.S. attorney against both Democrats and Republicans. He understands the responsibilities of the Department of Justice.

We need our next Attorney General to reestablish the premier role of the Department of Justice in the Civil Rights Division. The Civil Rights Division historically has been the key agency to protect the civil rights of the people of this Nation. We need the next Attorney General to reestablish that in the Department of Justice. Once again, Eric Holder has demonstrated that sensitivity that will restore the role of the Department of Justice in protecting the voting rights of all Americans.

The list goes on and on and on. Bottom line, the next Attorney General must restore the reputation of the Department of Justice. I believe he is the right person, but it is not only me. Let me read from some of the record that has been presented to the Judiciary Committee.

Both law enforcement and civil rights groups support Eric Holder. The Fraternal Order of Police writes that:

Our members reported that they found Judge Holder and U.S. Attorney Holder an able and aggressive prosecutor.

The Leadership Conference on Civil Rights, which is a group of our major civil rights advocates in this country said:

Mr. Holder's various experience as a trial attorney, judge, prosecutor and lawyer in private practice make him uniquely qualified to run the Department of Justice. It would be difficult to find a candidate more experienced in the Department or better suited to lead it. His background will render him ready to lead the Department from day one. His even-mindedness and sound judgment will ensure that justice is dispensed

fairly and equitably. His professional accomplishments and ability to put partisan politics aside make him above reproach. His commitment to the rule of law makes him the ideal candidate for the nation's top prosecutor.

Now, that is the Leadership Conference on Civil Rights, which, again, is comprised of the premier groups in this country that are out there fighting for the rights of the people of this country.

I would also draw my colleagues' attention to a January 7, 2009, letter received by the Judiciary Committee from several former high-level Department of Justice officials in the Republican administration. They write:

We are pleased to be able to write in support of Eric Holder, a man who stands with the most qualified who have been privileged to be nominated to be Attorney General of the United States. President-elect Obama's nomination of Eric as the historic appointment of the first African-American Attorney General should be hailed as a milestone. He is an extraordinary lawyer and an even better person.

We need to move forward immediately in the leadership in the Department of Justice. I would urge my colleagues, let us move forward on the confirmation process as quickly as possible. I look forward to Eric Holder being the next Attorney General of the United States. I hope we will do that very shortly.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WHITEHOUSE.) The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The Senator will suspend for one moment.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### DESIGNATING CERTAIN LAND AS COMPONENTS OF THE NATIONAL WILDERNESS PRESERVATION SYSTEM

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 22, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 22) to designate certain land as components of the National Wilderness Preservation System, to authorize certain programs and activities in the Department of the Interior and the Department of Agriculture, and for other purposes.

Pending:

Reid amendment No. 15, to change the enactment date.

Reid amendment No. 16 (to Reid amendment No. 15), of a perfecting nature.

Motion to recommit the bill to the Committee on Energy and Natural Resources, with instructions to report back forthwith, with Reid amendment No. 17, to change the enactment date.

Reid amendment No. 18 (to the instructions of the motion to recommit), of a perfecting nature.

Reid amendment No. 19 (to Reid amendment No. 18), of a perfecting nature.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent to speak as in morning business.

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

(The remarks of Mr. NELSON pertaining to the introduction of S. 22 are located in today's RECORD under "Statements on Introduced bills and Joint Resolutions.")

#### RECESS

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Senate stand in recess under the previous order.

There being no objection, the Senate, at 12:31 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CARPER).

#### DESIGNATING CERTAIN LAND AS COMPONENTS OF THE NATIONAL WILDERNESS PRESERVATION SYSTEM—Continued

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. BINGAMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BINGAMAN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SANDERS). Without objection, it is so ordered.

Mr. BINGAMAN. Mr. President, I ask unanimous consent to proceed as in morning business.

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

#### ISRAEL AND GAZA

Mr. BINGAMAN. Mr. President, I am here today to speak about the growing violence in Gaza. I support the United Nations Security Council resolution calling for an immediate and durable cease-fire. In my view, both the Israeli airstrikes and the Palestinian rocket attacks must stop immediately, and Israeli ground forces should withdraw from Gaza. I regret that President Bush chose to have the United States be the only Security Council member not to support this U.N. resolution.

I ask unanimous consent that the full text of the U.N. resolution be printed in the RECORD.

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

(See exhibit 1.)

Mr. BINGAMAN. Last week, the Senate responded to the hostilities by passing S. Res. 10, a resolution that I do not support. While I agree with some parts of the resolution, I believe it left out important provisions. The resolution called for Hamas to end the rocket and mortar attacks but it did not call on Israel to stop its airstrikes and ground assault. Nor did the resolution call on Israel to withdraw from Gaza. Moreover, I believe the resolution downplayed the humanitarian situation in Gaza. Thousands of people in Gaza do not have access to food, clean water, or medical care. The U.K. Foreign Minister, David Miliband, speaking about humanitarian conditions in Gaza said, "the word 'crisis', which is sometimes overused, is wholly appropriate" to describe how bad things are. He made that statement to describe how bad he saw that things are at this time.

I support Israel's right to defend itself. Israel has no stronger ally than the United States, and we have no better friend in the region than Israel. But friends can make mistakes.

The rocket attacks that Israel has suffered are unacceptable. But I believe Israel's use of force has been excessive and I do not believe it will help Israel achieve its long-term goals. Instead of weakening Hamas, the incursion is boosting support for Hamas both among Palestinians and the Arabic world and it is undermining support for moderates in the region. Instead of making Israel's enemies fear its military power, I believe this conflict shows its enemies that they can taunt Israel into reacting so strongly that it undermines its international support. Instead of rebutting the accusations that Israel has ignored the long-deepening humanitarian crisis in Gaza, the growing death toll and worsening living conditions will fuel similar accusations long into the future.

This violence is but another chapter of violence in the long history of the Middle East. What is needed is an international effort to broker an immediate truce and to build that into a lasting peace.

A lasting peace requires a two-state solution. It is hard to see how such an agreement can be achieved without the deep involvement and leadership of the United States. I have been disappointed that the Bush administration has failed to lead the peace process for the past 8 years. President Obama should not repeat that mistake after he takes office next week. He should appoint a special envoy to the region soon after his Secretary of State is confirmed by the Senate. President Obama should commit his administration to a steady and persistent effort to engage both Israelis and Palestinians in finding a political solution to the conflict that has long plagued this region.

## EXHIBIT 1

## RESOLUTION 1860 (2009)

Adopted by the Security Council at its 6063rd meeting, on 8 January 2009

*The Security Council,*

*Recalling* all of its relevant resolutions, including resolutions 242 (1967), 338 (1973), 1397 (2002), 1515 (2003) and 1850 (2008),

*Stressing* that the Gaza Strip constitutes an integral part of the territory occupied in 1967 and will be a part of the Palestinian state,

*Emphasizing* the importance of the safety and well-being of all civilians,

*Expressing* grave concern at the escalation of violence and the deterioration of the situation, in particular the resulting heavy civilian casualties since the refusal to extend the period of calm; and emphasizing that the Palestinian and Israeli civilian populations must be protected,

*Expressing* grave concern also at the deepening humanitarian crisis in Gaza,

*Emphasizing* the need to ensure sustained and regular flow of goods and people through the Gaza crossings,

*Recognizing* the vital role played by UNRWA in providing humanitarian and economic assistance within Gaza,

*Recalling* that a lasting solution to the Israeli-Palestinian conflict can only be achieved by peaceful means,

*Reaffirming* the right of all States in the region to live in peace within secure and internationally recognized borders,

1. *Stresses* the urgency of and *calls for* an immediate, durable and fully respected ceasefire, leading to the full withdrawal of Israeli forces from Gaza;

2. *Calls for* the unimpeded provision and distribution throughout Gaza of humanitarian assistance, including of food, fuel and medical treatment;

3. *Welcomes* the initiatives aimed at creating and opening humanitarian corridors and other mechanisms for the sustained delivery of humanitarian aid;

4. *Calls on* Member States to support international efforts to alleviate the humanitarian and economic situation in Gaza, including through urgently needed additional contributions to UNRWA and through the Ad Hoc Liaison Committee;

5. *Condemns* all violence and hostilities directed against civilians and all acts of terrorism;

6. *Calls upon* Member States to intensify efforts to provide arrangements and guarantees in Gaza in order to sustain a durable ceasefire and calm, including to prevent illicit trafficking in arms and ammunition and to ensure the sustained reopening of the crossing points on the basis of the 2005 Agreement on Movement and Access between the Palestinian Authority and Israel; and in this regard, *welcomes* the Egyptian initiative, and other regional and international efforts that are under way;

7. *Encourages* tangible steps towards intra-Palestinian reconciliation including in support of mediation efforts of Egypt and the League of Arab States as expressed in the 26 November 2008 resolution, and consistent with Security Council resolution 1850 (2008) and other relevant resolutions;

8. *Calls for* renewed and urgent efforts by the parties and the international community to achieve a comprehensive peace based on the vision of a region where two democratic States, Israel and Palestine, live side by side in peace with secure and recognized borders, as envisaged in Security Council resolution 1850 (2008), and recalls also the importance of the Arab Peace Initiative;

9. *Welcomes* the Quartet's consideration, in consultation with the parties, of an international meeting in Moscow in 2009;

10. *Decides* to remain seized of the matter.

Mr. BINGAMAN. Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MARTINEZ. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. MCCASKILL.) Without objection, it is so ordered.

TRIBUTE TO NAVY SECRETARY DONALD C.

WINTER

Mr. MARTINEZ. Madam President, today it gives me great pleasure to pay tribute to an outstanding leader and tremendous public servant, Navy Secretary Donald C. Winter.

When Donald Winter was sworn in as Secretary of the Navy on January 3, 2006, he was charged with training, equipping, and organizing our sailors and marines in a time of war. He assumed these responsibilities at a time when the U.S. Navy was in the midst of an ambitious modernization program across the board. A new class of destroyers, aircraft carriers, submarines, cruisers, and others was in the production pipeline. It would take an extraordinarily talented, knowledgeable, and energetic leader to navigate the Department of the Navy through these transitions. We were fortunate to find such a person in Donald Winter. He was that kind of a leader. He immediately outlined his priorities and then set to work on implementing them: Prosecute the global war on terror; build the future fleet; take care of our wounded and their families. Those were his priorities, and each day he drove the Department to focus on these areas.

With 25,000 marines and 36,000 sailors in Iraq, Afghanistan, and elsewhere in the Central Command's area of responsibility, the Navy and Marine Corps have been playing a critical role in fighting this war. From providing maritime security in the Northern Arabian Gulf, to turning around a seemingly hopeless situation in al-Anbar Province, to providing individual augmentees on the ground in Iraq, our sailors and marines have been on the front lines and have been performing superbly. These sailors and marines have always been foremost in Secretary Winter's mind, and they are the ones he has worked tirelessly to support in every way possible on Capitol Hill, within the Pentagon, and throughout the Department of the Navy.

While supporting our brave warriors in harm's way, Secretary Winter also focused on building the future fleet by instituting the most far-reaching acquisition reforms in decades.

I had the pleasure of traveling with Secretary Winter to Guantanamo Bay in Cuba in May 2007. It was my second time returning to this island since my arrival here in 1962. What I saw was the tremendous leadership ability he possesses and his firm commitment to the men and women of the U.S. Navy.

I would also commend Secretary Winter for his tireless efforts to ensure that our Nation is doing everything in our power to take care of our wounded. Secretary Winter has been an outspoken and relentless advocate for our wounded warriors, insisting on the highest possible standards for every sailor and every marine.

So on behalf of the men and women serving under him in my home State of Florida, I salute Secretary Winter for his superior performance in leading the Navy and Marine Corps over the past 3 years. We wish him Godspeed in his future endeavors, and we thank him for his service to our Nation.

#### SITUATION IN ISRAEL

Mr. President, the first and most sacred duty of any government is providing for the safety and security of its citizens.

Hamas's repeated rocket attacks on the Israeli people created a situation that required an Israeli response.

I was pleased to join my colleagues in cosponsoring S. Res. 10, which recognizes Israel's right to defend itself against attacks from Gaza.

While diplomacy is always a preferable alternative, at some point any legitimate government must take the necessary actions to safeguard its people from acts of terrorism against an unarmed civilian population.

With more than 6,000 rocket attacks launched into Israel from Gaza, the Israeli government acted reasonably in an effort to end the attacks against civilian targets.

These attacks are Hamas' latest attempts to advance their cruel and murderous agenda.

Hamas first began as an offshoot of the Muslim Brotherhood, a terrorist group responsible for the assassination of Egypt's President Anwar Sadat.

As you might recall, Sadat was the first Arab President willing to make peace with Israel.

Hamas has since claimed the lives of countless others throughout the region.

In 2002, a Hamas suicide bomber killed five Americans and four Israelis who were eating lunch in the cafeteria at Hebrew University in Jerusalem. The bomb was smuggled in a backpack loaded with shrapnel, which maximized damage to the cafeteria and inflicted severe injuries on more than 80 students.

Since coming to power politically in 2006, the terrorist organization has hijacked the Palestinian people's agenda.

They have cynically used their own people as civilian shields and brought harm to those who do not share their radical views. During the June 2007 coup in Gaza, Hamas operatives killed a cook of Palestinian National Authority President Mahmoud Abbas by throwing him from the roof of a 15-story building with his hands and feet tied. In the current conflict, they have fired rockets at their own people. On December 26, two Palestinian girls aged 5 and 13 were killed when a rocket fell short of reaching an Israeli target.

Hamas openly admits it uses women and children as human shields. One Hamas leader described this appalling practice by saying, "For the Palestinian people, death has become an industry. . . . This is why they have formed human shields of the women, the children, [and] the elderly."

Instead of investing in their own people's well-being, in roads, schools, and hospitals, they have instead invested in the cache of weapons they are using to cause death and destruction in Israel.

As a result, Palestinians are suffering. They have limited access to basic needs such as food and medicine. Their free speech has been suppressed through violence. And their right to freely practice religion has been replaced by a strong-armed enforcement of a radical brand of Islam.

The largest beneficiary of Hamas's weapons purchases has been Iran, which has aided Hamas by training terrorists and offering advice in making deadly explosives and long-range rockets. Throughout the conflict, Hamas has turned into a Hezbollah-like Iranian proxy by threatening Israel from the south. Iran's willingness to embolden terrorist organizations like Hamas poses a serious threat not only to Israel, but also the United States.

While Iran's influence has been plainly apparent across the Middle East, they have surreptitiously worked to advance their anti-American agenda in our own hemisphere. In recent years, Iran has aggressively increased its Latin American presence by working with the leaders who have found a commonality in the Iranian President's radical ways.

Iran and the regimes of nations like Venezuela and Cuba may not share a common border, but they share an anti-American agenda that poses a tremendous risk to our Nation's security.

Iranian President Mahmoud Ahmadinejad first visited Venezuela in 2006 and has since returned to visit the leaders of Cuba, Nicaragua, and Bolivia. He has also hosted Latin American leaders in Tehran.

As a result of these meetings, Iran has entered into several economic and political agreements, including plans to finance new progovernment television and radio stations in Bolivia and countries throughout the region. These agreements help to fan the flames of anti-Americanism, which persists throughout the region.

The government of Argentina recently revealed they received \$1 million from the Cuban regime to pay for anti-American protests during President Bush's visit there in 2005. Cuban families could have used that money for food, but instead it was wasted on furthering the regime's anti-American agenda.

What has been lost on these Latin American leaders is the larger conflict at hand.

Iran is heavily invested in a conflict that has claimed the lives of countless innocent civilians, and they will stop

at no cost, continuing to aid in the destruction of American allies.

For our Nation, the next few weeks will be historic, but critical.

I am anxious to hear about President-elect Obama's plan to address the Israeli-Palestinian conflict, and I am hopeful his administration will continue to reaffirm the U.S.'s historic commitment to the people of Israel.

I am also hopeful the administration will continue efforts to persuade Syria to stop yielding to Iran's devious demands. Syria must understand that Iran's interests do not serve the interests of the people of the Middle East.

Egypt has taken significant measures in trying to stop Hamas's smuggling of weapons and militants from Egypt into Gaza, but they must do more.

One proposal I support deploys an international force of military engineers to monitor and destroy the tunnels along the Egyptian border near Gaza.

I would also encourage the new administration to continue working vigorously with the European Union, Russia, and the United Nations on the U.N.-sanctioned "Annapolis Process" to achieve a final status agreement between Arabs and Israelis that includes a viable, democratic Palestinian state living in peace with Israel and its neighbors.

And finally, I hope to see further progress in our efforts to train the Palestinian Presidential Guard led by U.S. General Keith Dayton.

Although the recent outbreak of violence in Israel is troubling, I am hopeful a new cease-fire agreement can be reached very soon.

A true cease-fire with Hamas should include a guarantee for no more rockets and safeguards against rearming.

Both sides will soon realize that further loss of innocent life is too great a cost, and peace and security is the only viable way forward.

I look forward to working with my colleagues on the Armed Services Committee and the new administration to find a way forward in Israel and ensure a plan for peace in the future.

Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll. The assistant legislative clerk proceeded to call the roll.

Mr. BROWNBACK. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BROWNBACK. Madam President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

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

#### GUANTANAMO BAY DETAINEES

Mr. BROWNBACK. Madam President, I rise to speak today about a topic that is in the news, is important, and has to do with an area of Leavenworth, KS, very near the Presiding Officer's State, and in my home State, about the issue of the Guantanamo Bay detainees.

My simple point on this issue is, there is a very strong push—and I understand that push, and it is one that has been going on for some period of time—to close Guantanamo Bay. I would simply make the point we should not attempt to force-fit detainees where they do not belong and where it does not fit. I do not believe the new administration can look my constituents in the eye and say to them they are going to be safe with detainees at Fort Leavenworth as they are with military prisoners at Fort Leavenworth, and particularly not with what we are talking about from Guantanamo Bay.

I have invited President-elect Obama and his team to come to Leavenworth to look at this facility, to see if this is something that could fit and work. I do not believe it does at all. But I have invited them there to come and to look and to make their own assessment.

I further call on the incoming administration to conduct a thorough study—a thorough study—of all possible locations where detainees could be transferred. The study must seriously assess the legal and security requirements for detainees, as well as the impact on the areas surrounding a proposed detainee location.

In the end, I believe the detainees will probably need to go to one of three types of places: overseas, either in the custody of foreign nations or at U.S. military facilities abroad set up for these types of detainees we have at Guantanamo Bay or on military land or at facilities previously closed or scheduled to be closed under the BRAC process, the Base Realignment and Closure Commission, or into a new facility specifically designed for these detainees.

The administration is projecting they are going to sign an order right off when coming into office that is going to close Guantanamo Bay. I am asking them, in looking at my State, in looking at the Disciplinary Barracks at Leavenworth, that they consider the nature of the facility, the nature of the detainee, and make a careful assessment as to whether this fits in this situation.

Let me describe for you a little bit the situation of the Disciplinary Barracks at Fort Leavenworth, KS. Fort Leavenworth is a small facility. It is roughly 8 miles by 8 miles. It is a primary mission facility for education in the military. It is the Command and General Staff College for the military, for the Army. They do an outstanding job of that. They do an outstanding job not only for the U.S. military—particularly for the Army—they have all branches of the services that come there to be trained, but they also have, at any one time, students from 90 different countries at this facility.

I recently spoke at a graduation exercise there with a number of students who were coming out of a program, and the President of Uganda was there because his son was graduating from this

program. One of the key problems with relocating the detainees from Guantanamo Bay to Fort Leavenworth is that a number of Islamic countries will not send students now to Fort Leavenworth if detainees are being held there who they don't believe should be detained in the first place. Then you start to break these military-to-military ties that have been so important for us to be able to work in concert with—places such as Saudi Arabia or Kuwait or the good work we have been able to do in some cases back and forth in Pakistan, although not nearly enough. We need to do a lot more—and better. But if you break that tie, where you are training these military officers side by side and then building relationships that work back and forth and then you start moving toward: Well, the Saudis aren't going to send anybody to the Command and General Staff College in the United States because detainees who they believe in their countries shouldn't be held are being held in the same facility that is an 8-square-mile facility. Then the Kuwaitis don't do it and the Pakistanis don't do it and you start breaking these types of ties.

The major purpose of Fort Leavenworth is education, not discipline. Then there is the problem with the nature of the Disciplinary Barracks itself. It is primarily a medium disciplinary facility at Fort Leavenworth, not maximum. We do not have the space to be able to contain all the detainees from Guantanamo Bay. We don't even have enough space to contain what would be referred to as the worst of the worst from the Guantanamo Bay facility at the Disciplinary Barracks at Fort Leavenworth. Plus, it is against the law to mix a U.S. military population, where we have had people from the U.S. military who have committed a crime and they are being held at the Disciplinary Barracks—you cannot mix that population under law with a population of foreign detainees. That is against the law. It is against conventions we have entered into. So there is that legal hurdle that is there as well.

Now let me further describe the facility. It has a major railroad that runs through it. It has a train coming through on a regular basis 10 to 15 times a day. The security concern that raises of moving detainees from Guantanamo Bay—very high visibility—to the middle of the country but a place where people could try to spring them, are they going to use the railroad track? Are they going to try to bomb or put bombs in the railroad coming through? It is a real problem. We don't have an exterior fence. We have the Missouri River, but that is fairly navigable to be able to move across for a terrorist population or somebody who is trying to get into the perimeter of the facility to make it through. So we are not set up that way. It is within a major urban area of Kansas City. Kansas City straddles both the Kansas and

the Missouri side. Leavenworth is on the edge of that, on the northern edge of that Kansas City complex. So you are moving the detainees from Guantanamo Bay in a confined facility away from major urban areas and right into a major urban area in the United States. That doesn't make much sense. It is going to be very difficult to do. It is going to be impossible to do. And then to look my constituents in the eye and look the constituents of the Presiding Officer in the eye and say: You are going to be as safe as if you have military detainees.

We are used to handling the prison population at Leavenworth. We have a multiple set of facilities. We have a Federal penitentiary, we have a State penitentiary, we have a private penitentiary, and we have a military penitentiary. The community is very well adapted to be able to handle prison populations. It does it very well. But the community does not want this population because they say we are not set up to be able to handle this population. I think this is a community that does not say not in my back yard because they have been willing to take prisoners for some period of time. They are just saying they are not set up for this prison population in our back yard. We can't handle this.

For all these reasons, I would urge the administration—the incoming Obama administration—to take a very hard, serious scholarly view of what it is you can do with the Guantanamo Bay detainees. I would ask them to take a very serious look at the logistical problems of Leavenworth.

I know a number of the people who are involved at Fort Leavenworth are deeply concerned about the fact that they have a number of schoolchildren who are educated on the Fort Leavenworth military base, because at the Command and General Staff College, we get people assigned there for a year, 2 years, sometimes longer periods of time and families move there. We have schools we operate on the military base. We are deeply concerned about somebody coming in, wanting to make a statement and going into one of those schools and taking the children hostage.

I have seen situations where a number of people are put in harm's way for no good reason whatsoever, and seeing that this facility is not set up to be able to do this is one of them.

I have visited with people locally. I have a call scheduled with Secretary Gates. We have been putting this forward in legislative form in prior legislative sessions, and I will be in this legislative session as well to make this point. If it had been easy to close Guantanamo Bay previously, I am certain the current administration would have done it. It is a difficult task. But that doesn't mean that because it is a difficult task, then you do it fast. It means because it is a difficult task, you take your time and you do it right or you are going to create a lot more

problems down the road. This is one where I think the loss in this situation is far greater—far greater—than any gain we would get in closing the Guantanamo Bay facility, particularly in our relationship to Islamic countries.

I would plead with the new administration to look at this in a very serious and in a very clear and in a very analytical way, to make a wise decision that will stand for the future and not just create a huge set of problems for the future.

With that, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PRYOR). Without objection, it is so ordered.

#### THE ECONOMY

Mr. DORGAN. Mr. President, I have been interested for some long while about new technology and the Internet and all those related issues.

I recall reading a couple of years ago a statement by the former president of IBM in which he described the unbelievable leapfrog in technology and capability—most of it breathtaking. Most of us understand that because we use the Internet we can go anywhere in the world at our fingertips on the keyboard, but he described something breathtaking to me. He described the issue of storage density and the new capability of storage density. He said that we are on the cusp now of being able to reduce in storage density all of the works that exist in the Library of Congress—I think it is somewhere around 14 or 16 million volumes of work—which is the largest repository of human knowledge that exists anywhere on Earth; to be able to store that on a very small wafer the size of a penny.

Think of that: a wafer the size of a penny representing the storage device that contains the largest repository of human knowledge in history. Pretty remarkable.

Assume that you are able to walk around with a storage device the size of a penny in your jacket pocket which you can put into a computer and peruse all that human knowledge that has been gained since the start of human history. On that storage device would be a lot of information, but what wouldn't be on that storage device—of all the human knowledge accumulated since the beginning of time—would be how we get out of this financial mess that the country is now in. There is no formula, there is no rule, there is no experience that would give us a road-map of how we get from here to where we need to be to get out of this financial wreck.

We are indeed in a financial crisis. And the one thing that unites the smartest economists in the country or

the deepest thinkers or the latest self-proclaimed greatest sage and all the rest of us, the thing that connects us all, is none of us has ever been here before. We are all walking in the woods for which there is no map and all we have is a guess as to how we are to try to put this economy back together.

Now, some people say: Well, what does all that mean, this financial crisis? How do we understand that there is this wreckage occurring in the economy? Well, you can look at it a number of ways. You can look at the people who have been saving for a long period of time, investing their 401(k) in a mutual fund or in the stock market. After 30 years of work, they had a nest egg for retirement, but they have lost 40 or 50 percent of it, just like that. Half a lifetime of savings gone, like that. That is one piece of evidence. It is pretty dramatic for every family in this country.

But there is other evidence as well. And that evidence especially, it seems to me, describes the crisis in our families in this country. If you look at last month's unemployment report, it says, in a kind of a sanitary way, that 524,000 people lost their jobs. Well, what if you just say 523,999 and then focus on the one, just one person who had to come home, in most cases, and tell a spouse: You know what, I have lost my job today. No, I am not a bad employee. I have worked hard for that company for 10 or 15 years, but they laid employees off today. To that one family, that is 100 percent unemployment, and that is a disaster for that family. Think of it. Last month, over half a million Americans had that discussion some night around the supper table: What are we going to do?

And it is not just the half million people who lost their jobs last month or 2.6 million people who have lost their jobs since this recession started, and which has grown deeper; it is the hundreds of thousands and millions more who have not only had to say I have lost my job but who have had to say I have lost my house as well. It is pretty unbelievable.

This is an extraordinary country, with great strength, and an economic engine that has been the wonder of the world. No one in the world has done what we have done to expand the middle class and give everyone a feeling of opportunity. No one has done that. I have described before the unbelievable accomplishments of our country. We have survived the Civil War, survived a Great Depression, and we have been through two World Wars. We represent the beacon of freedom around the world. We have always been a country that represents hope.

I have been in so many parts of this world and asked people: What do you desire for your life? I remember being on a helicopter that ran out of gas between Nicaragua and Honduras in a mountainous area. We landed under power but we landed because we had no fuel, and campesinos from around the

region came to see who had landed in this helicopter. We were stranded for about 4 hours until we were found. We had an interpreter, and so during a discussion, through an interpreter, I asked a young woman, who walked up with others—she had about three or four children with her, probably in her early 20s—what do you aspire to do for you and your family? Oh, I want to come to the United States, she said. Why? Because the United States is where there is opportunity and freedom, she said. So in a discussion up in the mountains between Honduras and Nicaragua someone who had never seen an American understood America as a place for her and her family, a place of opportunity and freedom.

It is unbelievable what this place has represented to the rest of the world. We split the atom, we have spliced genes. As I have said before, we have cloned animals. We invent things—the silicon chip, plastic, and the radar. We cured smallpox and polio. We built the telephone, the television, the Internet, and the computer. We built airplanes and learned to fly them; built rockets to fly to the Moon. It is unbelievable what we have done. Our country is just that resourceful.

But we have found ourselves in recent months in a very deep hole. We find ourselves right now perched on the edge of a cliff, and the question is: What do we do to try to restore economic health to this country so that next month the news is not another half million Americans have lost their jobs; so that perhaps next month, or some month in the future the news will be that more Americans are working, more Americans have found jobs, more Americans are owning homes. How do we do all that?

The fact is, there is not anything in recorded human history that replicates this and there is not anyone who knows what is the menu to use to restore economic health. This country is in some very severe difficulty.

I wish to talk about what all this means and what I think we have to do. President-elect Obama came to the Senate today and spent time with the Democratic caucus. He spent the lunch hour with us and spoke for nearly an hour. It was an extraordinary exchange of views. He is a very gifted person who I think has great promise and, I think, hope that we can restore economic health to this country. He is going to need a lot of help. He is going to need a lot of us, Republican and Democrat. He is going to need the American people to join in an effort to restore economic health to this country.

In the Thomas Wolfe book "You Can't Go Home Again," he describes the kind of unique character of the American people. He describes it as a quenchless hope, boundless optimism, indestructible belief. I think these qualities exist in this country and it has gotten us through many difficult periods and will again and will this

time. But this will take some effort. This will not be easy.

I have described before what has caused much of this. It is not rocket science to describe it. We have seen what I think is an unbelievable carnival of greed, creating and trading exotic financial instruments that had dramatic risks, attaching that risk to some of America's biggest financial institutions and some of America's biggest banks. To go right to the origin of it—I have said it before and I will say it again and again, as long as I have an opportunity to speak about this because you have to close the gate. You cannot restore confidence in this country until you close the gate. Here is the house of cards that was built. We know what happens to house of cards in a high wind and all that, it has come down.

I described the other day, and I am going to once again, what is called a subprime mortgage scandal. They were advertising mortgages. We have all seen it. We have seen these advertisements. Here is the Countrywide ad. It was the biggest mortgage bank in the country. It now doesn't exist. It was subsumed into another company. By the way, the CEO of Countrywide, I am told—at least reading the newspaper—got away with a couple hundred million dollars for himself so he is not exactly shedding tears about all this. But here is what they were advertising for the American people: Do you have less than perfect credit? Do you have late mortgage payments? Have you been denied by other lenders? Call us. We would like to give you a loan.

Does that sound like sound business practices? It doesn't to me. What does it mean? The broker was able to get \$10,000, \$20,000 in bonuses for the loan. The mortgage company took their cut. Then they securitized it. They sold the security and rolled it into others—like they used to in the old days pack sawdust in sausage and roll it all together—they rolled these loans into a securities instrument, sold it up to hedge funds, sold it to investment banks. And they put prepayment penalties into it so borrowers were locked in, 3 years from the teaser rate, to interest rates that the borrower couldn't possibly repay and everybody was fat and happy and everybody was making a fortune—millions of dollars. Everybody was making a fortune.

The problem is it was a lot of air. It was not just Countrywide. Zoom Credit Company—here is what they said in their advertisements:

Credit approval is just seconds away. Get on the fast track at Zoom Credit. At the speed of light, Zoom Credit will preapprove you for a car loan.

Even if your credit's in the tank, Zoom Credit's like money in the bank. Zoom Credit specializes in credit repair and debt consolidation.

And then they finished with this:

Bankruptcy, slow credit, no credit—who cares?

Does that look like a good business practice to you? It looks like a Ponzi scheme to me.

This morning the judge in New York said Mr. Madoff, who had a \$50 billion alleged Ponzi scheme, was not going to be incarcerated. He apparently bilked people out of \$50 billion, but he is spending today in a \$7 million penthouse apartment in New York City because the judge says: No, no, he should not be incarcerated. That was a Ponzi scheme, apparently. People thought they had money invested with him. They, in fact, did not. It turns out there was not the money they thought was in their accounts.

But it is not just Mr. Madoff who had a Ponzi scheme. Do you think this is not a Ponzi scheme, a company such as this says: If you are bankrupt, you cannot pay your bills, you have slow credit, you have no credit, come to us; do you think that is not a Ponzi scheme? Because what do you think they did with that when they roped this customer into coming to them for a mortgage? They said: Tell you what, we have a sweet little deal for you. We will give you a mortgage called no-doc, that means you don't even have to demonstrate your income to us that will demonstrate you can repay it—no-doc loans. By the way, we will give you a mortgage, no documentation of your income, and we will give you a mortgage in which you don't have to pay any principal at all, just interest. Or, if that is not good enough, you don't have to pay all the interest for the first year. If that is not good enough, we give you a mortgage where we make the first 12 months' payments for you. But wait, we will give you a teaser rate. You can pay 2 percent interest rate. You can cut your home mortgage in half.

We don't tell you about the fine lines that say we are going to reset the interest rate to a much higher level in 3 years and you are not going to be able to repay it. And, by the way, we are going to put a prepayment penalty in so you can't get out of this because—do you know what we are going to do with this mortgage? We are going to package it up with others, called securitizing it, and we are going to sell it so we don't have any responsibility for it anymore and a hedge fund is going to buy it. Do you know why a hedge fund is going to buy it? We have a prepayment penalty in there with high interest rates and it will reset in 3 years and we are going to make a lot of money. They were all fat and happy when they built this huge bubble and the bubble burst and it helped cause a collapse in this economy.

I say all of that just to say it is not over. Go to the Internet right now, and see if you can find what I found—no-documentation loans. We still have shysters out there advertising this kind of nonsense: We will give you a loan. You don't even have to document it.

What happened as a result of this? Some of the biggest financial names in our country, it turns out, were investing deeply in what we now understand

is toxic assets. We all understand the word "toxic." It always used to be associated with a waste dump, toxic waste dump. Maybe toxic is an appropriate term. When the Treasury Secretary says toxic assets, it seems to me the bowels of some of the biggest financial institutions represent toxic waste dumps because that is where these bad assets exist.

So the Treasury Secretary came to us when it looked like everything was going to collapse and said I need \$700 billion from the American taxpayers and I need it in 3 days and I have a three-page bill I want you to pass. Why? What I am going to do, I am going to buy these assets from the biggest financial companies in the country and relieve them from this toxicity deep in the bowels of the banks. I did not vote for it, but sufficient numbers of my colleagues voted for it to authorize \$700 billion.

Now \$350 billion has either been spent or committed. The scandal is we cannot find out how the taxpayers' money has been used. To whom? For what purpose? Under what conditions?

We know in total there is about \$8.5 trillion that has so far been committed by the Federal Government. That means the taxpayer is on the hook for about \$8.5 trillion—the Federal Reserve programs, \$5.5 trillion; FDIC, \$1.5 trillion; Treasury Department, \$1.1. Do you know what? The Bloomberg News Corporation had to sue the Federal Government to get information about this. Isn't that unbelievable? They should not have had to sue anybody.

Let me show you the statements that were made by the Treasury Secretary and others. Here is what the Treasury Secretary said on the 23rd of October:

We need oversight, we need protection. We need transparency. I want it, we all want it.

That is just words. It didn't mean a thing. There is no transparency. You cannot find out what is going on. The Treasury Secretary took \$125 billion and shoved it at nine banks and said: I am going to invest in capital. I changed my mind, I am not going to buy any assets. So the TARP program, which got its named for troubled assets—there are no troubled assets purchased by the Secretary. He said: I changed my mind, now I want to give capital to banks.

That is not necessarily a bad idea, except he took \$125 billion and plugged it into nine banks, some of which didn't want it, and there were no strings attached. He said: I am doing this because I want you to expand lending. There was no requirement they expand lending, no requirement they not use it for bonuses or dividends.

If you ask the Treasury Secretary: Did they expand lending with the \$125 billion of taxpayers' money you sunk into capital, his answer is: I don't know. Ask the banks. They tell you money is fungible, we are not going to tell you that answer. We know don't know. But ask people wanting to get money from the banks. They will tell



you there is no additional lending or expansion of credit. It was just a commitment on behalf of the American taxpayers of \$125 billion in search of a solution that didn't exist because he didn't put strings on it or attach some conditions to it, so that is where we are.

Ben Bernanke, head of the Federal Reserve Board, said on the 24th of October, "Transparency is a big issue." I guess so. It is certainly a much bigger issue, given what he has done. He has moved massive quantities of money through the Fed—by the way the Fed opened its window to direct lending to investment banks for the first time in the history of this country. They used to only do direct lending to FDIC-insured banks. They opened the window to direct lending to investment banks. The question is, Who got the money? Under what conditions? How much? The answer is, We don't know. We are not telling you.

That is unbelievable to me. There is nothing in the Constitution about this. The Constitution is a short little document that talks about powers, the powers of the executive branch, the powers of the legislative branch, and judicial branch. You go read the Constitution and try to figure out whether you think the opportunity exists for somebody, even in a crisis, to commit \$8.5 trillion, \$8.6 trillion on behalf of the American taxpayer and then tell us you will not to get information about this? Go to court. That is unbelievably arrogant, in my judgment.

Having said all that—which is, in some ways, therapeutic for me to go through what has caused so much of this and to talk about the folly of the pursuit of a solution. That we cannot possibly succeed unless you have conditions and attachments to those moneys that are being used—all of this, it seems to me, is wrapped in a circumstance where we now find ourselves with a new President. He will be sworn in on the west front of this building next Tuesday. He inherits the most significant set of economic problems I think of any President since Franklin Delano Roosevelt. I don't think there is much question about that.

The question is, Where does this go from here? You know the law of holes: When you are in a hole, stop digging. The question is, How do you stop digging? How do you find a way to put this back on track to some sort of growth? Where is the bottom? How do you stop this from falling off a cliff? There are all these folks, the so-called smartest people in the room, who share with me and with my colleague from Arkansas, who is the Presiding Officer—share the fact that none of us understand the answer. Nobody understands exactly what to do.

But I wish to say this: I think at the root of this is always, and will always be, with this economy of ours, the issue of confidence. Do people have confidence about the future? If they are living in a place, in a country and at a

time when they can be confident about the future—confident for themselves and their kids, confident that they will have a job, retain their jobs, have job security, have a decent payroll, have benefits in the future—then they are confident and do things that manifest that confidence: buy clothes, take a trip, buy a car, buy a house; they do the things that expand this economy. But when they do not have confidence—and the American people at this point do not—they do exactly the opposite, which contracts this economy. They defer all those purchases and decide, you know what, we don't have confidence that we are going to keep this job, have this income, provide for our kids. We need to cut back, and that contracts the economy.

So the question is this: It is not, as I have said often, about how do you tune the engine on the ship of state. How do you go down to the engine room and take a look at every dial, gauge, lever, knob, and just adjust it just right?

In fiscal policy or in monetary policy, how do you adjust it? Tax credits? MIB? Fiscal stimulus? It is not that at all, in my judgment, because there is not a perfect menu to provide confidence to the American people. And it does not matter how you adjust those issues if you do not find a way to instill confidence, the economy is going to contract. So I have introduced legislation with a number of pieces that I think are essential to try to provide that kind of confidence. Let me describe them.

First and foremost, I do not think you can do this and give the American people confidence unless you look back and look forward. That means accountability, and accountability means looking back and looking ahead, it seems to me. I described the absurdity of Mr. Madoff running a \$50 billion Ponzi scheme, living in his \$7 million apartment in New York City, and the judge saying: That is okay. It seems to me there is an equal absurdity here of having the equivalent type of Ponzi schemes in which you loaded some of the biggest American financial institutions with dramatic amounts of risk and debt and say: Well, now that is past, no one is accountable. It seems to me someone is accountable for that. Are they still around? Were they getting \$20 and \$30 million a year? Some of them were. There was a recent investigative piece by the Washington Post describing the person in charge of risk management and describing a trader at the same firm, both making somewhere in the neighborhood of \$20 million a year. Who is accountable for that, for the collapse as a result of the loading up of dramatic risk in an investment bank and then having the American taxpayers bail it out?

Here are some of the so-called biggest institutions that were deemed "too big to fail." Until this point, they have not only been "too big to fail," they have been "too small to regulate" apparently because we have a lot of

folks in this town who do not want to regulate anything. They want to be willfully blind, including those we pay to regulate these entities. They are the ones who helped us decide long ago, as a country: We are not going to look at derivatives, we will not regulate derivatives, and we are not going to regulate hedge funds. We are willing to countenance a lot of dark money out there because we do not need to see it. You know, the high priest of that thought was, of course, Alan Greenspan, whose notion of how you handle all of this is self-regulation. Self-regulation will work just fine, he said. Well, it turns out that was a miscalculation to the tune of some trillions of dollars. It did not work fine.

Here is what we need to do—accountability going back. I have just described Alan Greenspan. He came and testified. He said: "I made a mistake in presuming the self-interests of organizations, specifically banks and others, were best capable of protecting their own shareholders and their own equity in the firms."

You know the old saying that there is no education in the second kick of a mule. We know this. We knew this. We have been through this in the Great Depression. We were through the Gay Nineties and the Roaring Twenties. None of us lived then, but we learned the lessons and put in place the protections to make sure it never happened again.

About 10 years ago, the Congress took apart most of those protections. I voted against it. I thought it was a terrible decision. But here we are paying the price for that.

Those protections, it seems to me, at this point need to be reconnected. So what should we do? Well, first of all, I think, in addition to a rescue plan of some type, or a stimulus plan, as it is being called, it seems to me you need some type of taxpayer protection. Nobody is looking out for the taxpayer here, and the taxpayer is having to make the commitment through the Treasury Secretary, through the Federal Reserve, and through the Congress. Let's have a taxpayer protection plan or a Taxpayer Protection Act.

One, I think we ought to extend the oversight, accountability, audit, and all the reporting provisions that were imposed originally by the Treasury Department under the Emergency Economic Stabilization Act to cover any financial entity that provides emergency economic assistance to private firms. There ought to be complete transparency, no secrecy, nobody saying: We will not tell you, we will not show you, we will not disclose to you.

Second, all private firms receiving emergency financial assistance should be subject to the same set of rules and restrictions relating to executive compensation, golden parachutes, dividend payments, to name a few.

You know, we had the auto industry executives come down here, and they were widely pilloried for flying Gulfstream IVs wing tip to wing tip from

Detroit to Washington, DC. It turns out that there were over 20 commercial flights that day from here to Detroit and back. One could have sat them in first class and provided them Dr. Pepper in a paper cup, or whatever it is they do in first class, between Detroit and Washington, DC, and they would have been fine. But they flew down wing tip to wing tip in Gulfstreams and, you know, making \$2 million, \$2.5 million a month, whatever it was. There was a lot of criticism about it—justifiable, in my judgment. I want the auto industry to succeed, but that was not a very smart thing that day.

But the question is, Why it is just the auto industry? Where are all of those folks who ran some of those big investment banks into the ditch? Where are the folks who caused that wreckage? How about the people who ran these big mortgage companies that were selling these unbelievable mortgages to people with bad credit and getting big bonuses as a result? When are they going to be brought here under subpoena and asked the same questions and subject to the same requirements?

I think we ought to create a taxpayer protection prosecution task force. I believe there is a lot of illegal activity that has not been uncovered. And I do not think it ought to be laid at the feet of some attorney general someplace in some State. There ought to be a Federal prosecution tasks force empaneled, and that task force must make it a top priority to investigate and prosecute financial fraud cases and seek to recover any ill-gotten gains. The task force shall make recommendations to the Congress, within 60 days, about extending the statute of limitation in complicated financial crimes, if necessary.

There ought to be a reform commission on the financial system that determines the causes of this financial nightmare. And the commission would report its findings, conclusions and make recommendations for preventing a similar debacle in the future. I do not think it is just a matter of jump-starting the economic engine; I think you have to rewire the system here. You have to rewire the financial system. This does not work.

Securitizing instruments for which there was never any decent underwriting because you did not have to underwrite if you were going to send the risk upstairs—that does not work. And you cannot have dark money out there beyond the gaze of regulators.

You do have to regulate. It seems to me you have to completely reform the financial system, and I do think the people who caused this wreck are going to be the ones who are going to help us reform the system.

So those are four areas that I think we have to do on behalf of the American taxpayer.

You know, my sense is that everyone in this country wants this new Government to succeed. President-elect Barack Obama campaigned across this

country on the subject of change. We all understand the need for that change. The fact is, there is plenty of blame to go around. Lots of folks, Republicans, Democrats, one administration, another—there is a lot of blame. But it seems to me there are special obligations laid at the feet of those who in the last 8 years have decided to be willfully blind and decided that self-regulation was more important than having people do their jobs who were supposed to be regulating. And the result was the creation of a house of cards or a Ponzi scheme sort of thing that has caused dramatic damage to this country.

Now, it is a mess, but I think this country can get out of it. I think it would be hard for anybody in this Chamber to decide to get up and go to work if they did not have an abiding hope about the future of this country. And I do. But that hope is joined, it seems to me, by requirements to find out what happened, take action based on what happened, and make sure it never happens again. That is not rocket science; that is what we are obligated to do.

This is, as I said, a great country with a wonderful history of overcoming the odds. We have people who came to this country from different parts of the planet searching for opportunity. Most of us come from immigrants who came from one part of the planet or another, one part of this globe, and came to this country because they believed this is the place where opportunity existed.

There was a man named Stanley Newberg who died, and there was a tiny little piece written in the New York Times about him some years ago. It was a piece that intrigued me, so I looked into it to find out what was this about, Stanley Newberg. It said, in this one-paragraph piece, something that I discovered more about. A man came to this country with his parents to flee the persecution by the Nazis of the Jews, and they came here and landed in this country, with nothing, in New York City. His dad had a job peddling fish on the Lower East Side of New York, and Stanley Newberg trailed along, this little tyke with his dad every day peddling fish. Then he went to school, and his parents struggled because they had nothing, and he did well in school. They struggled to get him some loans and try to help him get to college. He went to college, graduated from college, and went to work for an aluminum company. He did very well with the company and rose up to management in the company and then purchased the company.

Later, he died. When they opened his will, Stanley Newberg, in his will, left \$5.7 million to the United States of America. In his will, he said: For the privilege of living in that great country. Is that not remarkable? Here is a man who came here with nothing, was enormously successful, then at the end of his life left his inheritance to the United States of America. I am not

suggesting everyone do that. I am suggesting it inspires me when people—in this case, coming here as a boy with nothing—understand the magic of what this country of ours offers in terms of opportunity and freedom. And I think, with all of the hand-wringing that exists in our country about these very serious troubles we face, I am absolutely convinced, if we work together, with a new President, a new Government, if we call the American people to be part of something bigger than themselves, to say this is a moment to try to put this country back on track and build better opportunity and greater opportunity for all Americans, I have great hope then for this country.

Mr. MARTINEZ. Mr. President, I rise today in strong support of S. 22, the public lands omnibus bill. This legislation contains several important provisions for the State of Florida that will protect its natural treasures and expand understanding of our rich history. These bills are bipartisan, and I am proud to have worked with my colleague Senator BILL NELSON in support of the Everglades provisions and the commission for the 450th anniversary of St. Augustine's founding. Congressman JOHN MICA has introduced a companion version of this bill in the House of Representatives and I wanted to recognize his efforts as well. In addition, I thank the hard work of Senator JEFF BINGAMAN, the chairman of the Energy and Natural Resources Committee, and ranking member, Senator MURKOWSKI, and their staff, for including these bills in S. 22 and bringing it to expected floor passage.

The public lands package contains an authorization for the St. Augustine 450th Commemoration Commission, which is critical in assisting the National Park Service, the State of Florida, as well as all local stakeholders in organizing the historic celebration of the city's founding. St. Augustine's old and complex history mirrors much of the American experience. It was the birthplace of Christianity in the New World and it was truly the first blending-pot of cultures that included peoples of Spanish, English, French, Native American, and African descent. Many do not know that St. Augustine is the location of the first parish mass in the United States and it was the location of the first free black settlement in North America. Nearly a century before the founding of Jamestown, Spanish explorer Juan Ponce de Leon landed off the coast of St. Augustine looking for the fabled Fountain of Youth but instead founded a colony known as La Florida. He discovered very favorable currents that would later be known as the Gulf Stream, which would serve as trade routes for European explorers to discover other parts of the New World.

Because of St. Augustine's location along strategic trade routes, Spain constructed the Castillo de San Marcos in 1672 to protect the capital of La Florida from French and British interests. The Castillo de San Marcos is

built on the ruins of the original fort that was burned to the ground by British sailor and explorer Sir Francis Drake. The fort still stands today and has had six different flags fly above its ramparts. It is the oldest surviving European fortification in the United States.

The St. Augustine Commemoration Commission is necessary to help organize the tremendous amount of historical and cultural events that will take place in the first coast area. The commission will encompass a broad array of members from Federal, State, local, and academic backgrounds to ensure that it has a diverse make-up of professionals to assist the city of St. Augustine in celebrating its founding. The intent of the St. Augustine commission bill is to assist the NPS and local stakeholders in building upon the experiences of the Jamestown celebration in 2007. In addition, the commission would provide the necessary framework to navigate the significant logistical challenges facing the city of St. Augustine, the State of Florida, and the National Park Service.

Restoration of the Everglades, especially Everglades National Park, will be enhanced by enactment of the public lands bills package, S. 22. One such provision included is section 7107, which would expand the boundaries of Everglades National Park by nearly 600 acres and help protect a critical part of Florida's ecological heritage. I am proud to have cosponsored this legislation with my colleague BILL NELSON, and it is supported by a broad group of stakeholders including the Monroe County government in the Florida Keys, the Nature Conservancy, and the National Park Service. The passage of this bill would protect coastal wetlands and habitat for a myriad of endangered species including the American crocodile, the West Indian manatee, the wood stork, the roseate spoonbill, and other migrating birds.

The citizens of Florida have long treasured the Everglades, and the addition of this property within the park's boundaries will help preserve the unique beauty that makes the keys such a special place. The addition of the Tarpon Basin property will not place new management or administrative burdens on our park's staff, but instead would enhance and preserve a part of Old Florida for years to come.

Another provision included in S. 22, which Senator NELSON and I support would facilitate an important land exchange to allow the National Park Service to acquire the last significant private inholding in the Everglades and clear the way to finally implement the federally approved Modified Waters Delivery Project or "Mod Waters." Mod Waters will help restore natural water flows into Everglades National Park, and although authorized nearly 20 years ago in 1989, it has experienced substantial delays.

The land trade provided for in the pending, measure enables the Park

Service to acquire Florida Power and Light's, FPL, 7-mile long, utility corridor that now bisects the expanded Everglades National Park. This corridor runs north-south through the heart of the East Everglades and Shark River Slough, which provides the primary water flows into the park. Under the exchange, FPL would give this 320 acre inholding to the park and would receive roughly 260 acres on the eastern boundary of the park adjacent to the existing L 31 canal and levee. FPL would also receive a vegetative management easement to help control non-native exotic plants. Public acquisition of the FPL inholding would eliminate the last significant private inholding delaying Mod Waters.

No funds will be needed for this inholding acquisition and appraisals indicate that the park receives more value than FPL. Since so much preliminary work has been put into identifying the precise lands and interests involved in the exchange, the Park Service should be able to promptly complete the appraisal approval process. Expedient review is critical to facilitate Mod Waters and ensure that the exchange is executed so taxpayers are spared the multimillion-dollar costs of purchasing the FPL corridor.

Substantial work has already been completed and all evaluations indicate that relocating the utility corridor away from the Everglades National Park will provide a wide array of environmental benefits to the park. The exchange and relocation ensures that there will be no electric transmission lines constructed on the existing private right-of-way. In addition, moving the utility corridor to the periphery of the park to developed property will lessen impacts on resources, endangered and threatened species, and other park-related values. The bill also provides the NPS with the authority to relocate the Everglades Park boundary to ensure that the lands conveyed to FPL are outside of the park. The intent is that the relocated utility corridor not be within Everglades Park.

Since an environmental assessment needs to focus only on those factors arising from the land exchange itself, it is expected that the Park Service will move quickly to complete the assessment. Any effects that may arise from future proposed development of the relocated corridor would be subject to full environmental review at that time by appropriate Federal and State agencies. Because of these protections and oversight, there should be no undue regulatory delay in the completion of this important land exchange, which could further delay Mod Waters. Accordingly, the NPS should act in a timely manner to render a suitability finding for lands adjacent to the park used for transmission to meet the power needs of south Florida.

I again thank Chairman BINGAMAN and Senator MURKOWSKI for including these bills in S. 22. I also want to thank our outgoing ranking member, Pete

Domenici, for his hard work in helping move these bills through the Energy and Natural Resources Committee last year. We have a chance at the beginning of a new Congress to show the American people that Washington is not all about politics and gridlock. I urge my colleagues to vote for S. 22 to help facilitate the completion of Mod Waters and enhance the protection of Florida's fragile ecosystem.

Mr. NELSON of Florida. Mr. President, restoration of America's Everglades is one of my top priorities in the Senate. Everglades National Park stands to be enhanced by enactment of the public lands bill package, S. 22.

Section 7107 contains a measure—similar to a bill introduced by Senator MEL MARTINEZ and me, to facilitate an important land exchange which will allow the National Park Service to acquire the last significant private inholding in the East Everglades and clear the way to finally implement the congressionally approved Modified Waters Delivery project or "Mod Waters." Mod Waters will help restore natural water flows into Everglades Park. This project provides a critical foundation for many future restoration projects and although it was authorized in 1989, has been delayed for a variety of reasons including the need to acquire private lands that will be returned to a natural state by increased water flows.

The Park Service has worked painstakingly since 1989 to acquire over 100,000 acres in the East Everglades at a cost of more than \$104 million to clear the way for Mod Waters. Over 8000 individual parcels of land have been purchased and added to Everglades National Park. The land trade provided for in the pending measure will enable the park to acquire Florida Power and Light's—FPL—7-mile long, 330-foot wide inholding that now bisects the expanded park. This corridor of private lands runs north-south through the heart of the East Everglades and Shark River Slough, which provides the primary water flows into the park—the area where more natural water flows will be restored by Mod Waters. Under the exchange, FPL would surrender this 320-acre inholding to the park and receive approximately 260 acres on the eastern periphery of the park immediately adjacent to the existing L 31 canal and levee as well as a vegetative management easement to help control nonnative exotic plants among others. Public acquisition of the FPL inholding would eliminate the last significant private inholding delaying Mod Waters. In return, FPL would receive lands that would be outside the park, providing it with the opportunity to develop such lands into a viable utility corridor, if approved. This is a win-win for the people of south Florida who depend upon both a healthy environment and the availability of power.

As I stated earlier, Mod Waters is the foundation for the broader Comprehensive Everglades Restoration Plan, CERP, approved by Congress in the

Water Resources Development Act of 2000. The congressionally mandated September 2008 National Academy of Sciences report on Everglades restoration called progress on Mod Waters “dismal.” The report emphasized that Mod Waters is critical to restoration, especially for Everglades Park, and urged the Federal Government to take action to move the project along. This exchange does precisely that.

No funds will be needed for this inholding acquisition. Since so much work has already been done to identify the precise lands and interests in land to be exchanged and these lands have been subject to professional appraisals, we expect the park to be able to promptly complete the necessary administrative requirements to complete the exchange. Time is of the essence in order to facilitate Mod Waters and ensure that the exchange is executed so taxpayers are spared the multi-million dollar costs of purchasing the FPL corridor.

Prior to executing the land trade, the Park Service will prepare the appropriate National Environmental Policy Act document to fully understand the environmental impacts, if any. It is my hope that this exchange will provide a wide array of environmental benefits to the park. The exchange ensures that there will be no electric transmission lines constructed on the existing private right-of-way. The bill also provides the Service with the authority to relocate the Everglades Park boundary to ensure that the lands conveyed to FPL are outside of the park. It is intended that the utility corridor, if developed, not be within Everglades Park. Because many of the agreements have been worked out in advance between FPL and the park, I expect that the Park Service will move expeditiously to complete the land exchange authorized by this legislation.

In a similar vein, the Park Service must also make a determination that the lands and interests along the L 31 canal and levee on the edge of the park are “suitable” for exchange and conveyance to FPL. This “suitability” is already widely acknowledged and recognized by both the agency and the Congress as these peripheral lands are not in the heart of the park and not critical for Mod Waters and water flow restoration. Accordingly, I expect the Park Service to act in a timely manner to render the suitability finding.

I received a letter from Florida Department of Environmental Protection Secretary, Mike Sole, expressing his support for the land transfer. The exchange is also supported by the Department of the Interior and the Army Corps of Engineers.

I expect the Park Service and FPL to move promptly to complete the exchange. Again, the need for action on Mod Waters means that time is of the essence.

I wish to thank Chairman BINGAMAN and Ranking Member MURKOWSKI for their efforts to incorporate this impor-

tant measure in the S. 22 package. We must move expeditiously to compete Mod Waters and completion of this land exchange will help us achieve these objectives while ensuring that the taxpayers are spared the cost of purchasing a very expensive park inholding from FPL.

I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. REID. I ask unanimous consent the Senate proceed to a period of morning business with Senators permitted to speak therein for a period of up to 10 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### 80TH ANNIVERSARY OF LULAC

Mr. REID. Mr. President, I rise to call the attention of the Senate to the 80th anniversary of the League of United Latin American Citizens, LULAC. As a pioneer of the Latino civil rights movement, LULAC has long fought to better the economic condition, educational attainment, political influence, housing, health and civil rights of Americans of Latino descent.

Eighty years ago, three organizations in south Texas united to combat the rampant discrimination faced by Mexican Americans. After decades of disenfranchisement, the Latino community in south Texas created a movement for equality that has contributed greatly to enhancing the livelihood of Latinos throughout the United States. LULAC's successes and achievements are many—ranging from the desegregation of schools throughout the American Southwest to improving access to jobs and government programs.

Today, as America's oldest national Latino organization, LULAC boasts continued service to America's Latino population through more than 48 employment training centers, 16 regional centers, and employs its great knowledge of the needs of the Latino community by advising private, nonprofit, and public institutions. Moreover, its unique charter structure allows this organization to disseminate important information and provide worthwhile services via more than 600 councils throughout the United States and Puerto Rico. The need for LULAC's services has not subsided through the years and a new generation of Latinos calls upon the institutional strength that this organization can provide. The

challenges we face as a nation can only be resolved by the inclusion of all American communities and I value the sage voice of LULAC on the strategies to empower Latino communities.

The organization's early efforts for political and social inclusion created a strong base which LULAC and other organizations now utilize to improve the quality of life for all American Latinos. I congratulate and commend the League of United Latin American Citizens for their long record of service to the Latino community and wish them continued success.

#### TRIBUTE TO BOURBON HEIGHTS NURSING HOME

Mr. MCCONNELL. Mr. President, I rise today to honor the Bourbon Heights Nursing Home, which was recently recognized as the best nursing home in the State in 2008 by the Kentucky Association of Health Care Facilities, KAHCF.

Recently, the Bourbon County Citizen in Paris, KY, published a story about the Bourbon Heights Nursing Home receiving this top honor.

Mr. President, I ask my colleagues to join me in honoring the work of the dedicated staff and volunteers at Bourbon Heights, whose continued commitment to the community and to those they care for is extraordinary. I further ask unanimous consent that the full article be printed in the RECORD.

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

[From Bourbon County Citizen, Dec. 19, 2008]

#### BOURBON HEIGHTS RECEIVES STATE AWARD

(By Paul Gibson)

The Bourbon Heights Nursing Home was the recipient of the coveted award recognizing them as the best nursing home in the state by the Kentucky Association of Health Care Facilities (KAHCF). There are 247 nursing homes in the association and each one is awarded the large trophy that signifies the top honor.

“There is an extensive application procedure,” said Glenda McKenzie, Activities Director. “And judges come at least twice during the year to personally see the facility.”

“The judges' visit is very thorough,” said Angie Forsythe, Administrator at Bourbon Heights. “They interview each department head and observe the services we provide residents.”

According to Forsythe, the judges also interview staff members, residents, and volunteers to gain better understanding of how the facility operates.

“The judges really wanted to know what makes us unique,” Forsythe said.

The judges discovered, McKenzie said, “that we are a very diverse facility offering a wide range of services to our residents.”

Currently, Bourbon Heights provides independent living in apartments, personal care, nursing care, day care and out patient rehabilitation.

“I think the judges were impressed with the way we take pride in the care we provide our residents,” Forsythe said. “We are like a family here and the staff provides a loving care for each resident.”

She added that Bourbon Heights has very little turnover in staff and that many staff

members have 20 or more years of service. "It is like a family here, the staff cares for the residents and relationships are developed that are important to the residents."

One of the most unique attributes of Bourbon Heights is the support from the community and the volunteers who are in the floors every day providing support and help to the regular staff.

"As I travel around the state attending meetings," McKenzie said. "Other Activity Directors are amazed at the level of community support that we have at Bourbon Heights."

The giant trophy in the lobby is awarded for one year and will be passed on next year to a new recipient. A trophy cup will remain at Bourbon Heights as a reminder of this year's honor of being named the best nursing home in the state.

Bourbon Heights was chartered in 1965 when it opened as a senior care center. It is a non-profit organization. The land is owned by the county and the buildings and improvements are part of the Bourbon Heights Corporation and under the direction of the board of directors that oversee the non-profit organization.

#### CONGRATULATING THE SAN DIEGO CHARGERS

Mrs. BOXER. Mr. President, today I wish to send my congratulations to the San Diego Chargers for the remarkable way that they turned around their 2008 season in the National Football League.

During difficult economic times, as they face hardships and uncertainty, millions of sports fans across America turn to their hometown teams for solace and inspiration.

Few teams this year faced as many hardships as the Chargers, and few teams in any year have overcome adversity with such inspiring tenacity.

Hampered by injuries to star running back LaDainian Tomlinson and other key players and suffering through a series of heartbreaking losses, the Chargers began the 2008 season with just four wins in their first 12 games. With 3 weeks to go in the regular season, they trailed the division-leading Denver Broncos by three games. Though their fans remained loyal and the team remained confident, few outside observers gave them any chance reaching the NFL playoffs.

Over the next 5 weeks, though, the Chargers made an amazing run. Beginning on December 4th, three consecutive San Diego victories and two Denver losses left the Chargers just one game back entering a December 28 showdown with the Broncos.

In the decisive game, the Chargers staged an awe-inspiring offensive display to crush the Broncos 52-21 and win the AFC Western Division championship. They became the first team in NFL history to have been 4-8 and make the playoffs and the first team ever to win their division after being three games behind the leaders with three games to play.

Six days later, on January 3, the Chargers faced a terrific Indianapolis Colts team in the playoffs. In perhaps the greatest NFL game ever played in

San Diego, the Chargers beat the Colts in overtime, 23-17.

Every playoff tournament ends sadly for every team but one. Last Sunday, on a snowy day in Pittsburgh, the mighty Steelers ended the Chargers season.

But nothing can dim the luster of the Chargers' late-season run. Their dramatic turnaround is an inspiration to sports fans everywhere.

Mr. President, I grew up in Brooklyn, in the shadow of Ebbets Field, where baseball fans endured years of frustration with the annual cry of "Wait Till Next Year." When I was in high school, our dream finally came true, and "next year" became this year.

With a talented young team that has triumphed over adversity, the San Diego Chargers can look forward to next year with pride and confidence. I salute the Charger players, coaches, staff, and ownership along with their loyal fans—for a great 2008 season.

#### WHITE MOUNTAIN LAND MANAGEMENT

Mr. GREGG. Mr. President, I rise today to speak briefly about the White Mountain National Forest and the U.S. Forest Service's efforts to manage these lands for the benefit of all Granite Staters. In particular, I wanted to extend my appreciation and support for the agency's commitment to implementing its 2005 management plan for the forest, including the Mill Brook timber harvesting proposal.

It goes without saying that the White Mountain National Forest is a special place for all New Hampshire residents. Drawing millions of visitors each year, these lands have long appealed to those who enjoy the outdoors, while also providing natural resources that support communities across the State. Through balanced, multiple-use management policies, I remain confident that the White Mountain National Forest will remain one of the crown jewels of the National Forest System for generations to come.

As such, I was pleased when, in 2005, the U.S. Forest Service released its new management plan for the White Mountain National Forest. Striking a delicate compromise among stakeholders, it was overwhelmingly supported in New Hampshire and established a consensus-based blueprint for how this natural resource will be managed. I applauded all of the hard work and public outreach that the Forest Service put into this plan and was pleased to coauthor legislation that implemented its wilderness recommendations. Signed into law in December 2006, the New England Wilderness Act designated nearly 35,000 acres of new wilderness in the Forest and strengthened our nation's commitment to land conservation.

The 2005 management plan also included timber harvesting, which is critical for both regional economic activity and wildlife diversity purposes. The

timber industry is one of the largest manufacturing industries in New Hampshire, supporting well paying jobs and local communities, especially in the north country. Carefully managed timber harvesting can also play an important role in maintaining habitats that are critical for certain types of wildlife.

Fully consistent with the 2005 plan and its timber harvesting guidelines, the Forest Service has proposed logging projects which have been subject to environmental review, are limited in scope, and have the support of well respected groups across the spectrum such as the Society for Protection of New Hampshire Forests, Appalachian Mountain Club, the National Audubon Society, the New Hampshire Timberland Owners, and the North Country Council. Two of these proposals, the Batchelder Brook and Than Brook Resource Management Projects, have been unsuccessfully challenged by certain environmental groups such as the Sierra Club that do not represent the view of most Granite Staters. Even though they seemed fine with the 2005 management plan when it was released, these groups now want to undo it via lawsuits and other challenges that use up taxpayer resources and stymie economic activity in New Hampshire. Fortunately, the courts have so far ruled in favor of the Forest Service and have allowed these two timber harvesting projects to proceed. With each ruling against these challenges, it has been my hope, as well as the hope of many others in our State, that all parties would now act in good faith and respect the 2005 management plan's timber harvesting guidelines.

Unfortunately, this has not been the case, and it is why I am once more speaking on the Senate floor about the White Mountain National Forest. Once again, we now have the Sierra Club and its allies trying to tie up yet another important timber harvesting proposal, the Mill Brook project. This project, which consists of around 1,000 acres, is wholly consistent with the plan's timber harvesting guidelines. It is also supported by a large number of well respected environmental groups and the New Hampshire Fish and Game Department. But this is apparently not enough. Recycling some of the same legal arguments that have proven unsuccessful in the past, the Sierra Club and its friends are trying to thwart the good intentions and popular support of the 2005 plan, choosing the path of antagonism over the spirit of compromise.

Now of course, I recognize that it is within these groups' rights to file an administrative appeal and try to hold things up. And I also recognize that such tactics may appeal to their partisan supporters. That being said, I also feel that these groups' actions are meant to undermine the longstanding consensus approach that New Hampshire has taken to environmental protection and the management of the

White Mountain National Forest specifically. During these challenging times, I also find it hard to understand why some groups are trying to thwart the Mill Brook proposal when their previous attempts to block similar projects have not succeeded, especially when timber harvesting in this area will provide an economic boost for the Granite State.

As I have said in the past, the White Mountain National Forest can and should be accessible to a wide variety of uses, including timber harvesting. While I certainly agree that the Forest Service must follow the law and carry out certain environmental reviews, I also believe that this administrative appeal runs counter to New Hampshire's interests. I therefore hope that this appeal process is resolved as soon as possible and that we can all support the Forest Service's management of the White Mountain National Forest, including the Mill Brook project.

#### IDAHOANS SPEAK OUT ON HIGH ENERGY PRICES

Mr. CRAPO. Mr. President, in mid-June, I asked Idahoans to share with me how high energy prices are affecting their lives, and they responded by the hundreds. The stories, numbering well over 1,200, are heartbreaking and touching. While energy prices have dropped in recent weeks, the concerns expressed remain very relevant. To respect the efforts of those who took the opportunity to share their thoughts, I am submitting every e-mail sent to me through an address set up specifically for this purpose to the CONGRESSIONAL RECORD. This is not an issue that will be easily resolved, but it is one that deserves immediate and serious attention, and Idahoans deserve to be heard. Their stories not only detail their struggles to meet everyday expenses, but also have suggestions and recommendations as to what Congress can do now to tackle this problem and find solutions that last beyond today. I ask unanimous consent to have today's letters printed in the RECORD.

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

HONORABLE MIKE CRAPO: My name is Brian Gross and my wife Kelly and I have lived in Idaho since January as I graduated from the University of Wisconsin-Madison and received a job at Idaho National Laboratory in Idaho Falls. We settled into a comfortable fifteen hundred square foot town home and own two cars that we both drive to work every day. Our extremely short commute of 4 miles and 3 miles respectively requires that we spend around \$160 per month on gasoline. Though both cars achieve no less than 20 miles per gallon in the city and upwards of 32 miles per gallon on the highway, we would use more than our entire month's budget for gasoline if we made a trip to visit our relatives in North Dakota 800 miles away, making a trip for the holidays a rather expensive venture.

One would think after seeing the Hubbert curve peak near the earlier part of this decade, you would want to begin the move to-

wards other sources of fuel for our vehicles. If the OPEC embargo of 1973 was not enough, what will it take before we make the shift? The wonderful businessmen of Toyota and Honda appreciated the coming situation and conveniently developed a car that would contribute greatly in allowing the former to surpass all of the big three companies in sales of automobiles for the first time ever in April 2007. Even though GM and Ford have turned around with several hybrid and electric car projects, that still leaves the transportation industry vying for even more expensive diesel fuel. In my opinion, the first step for Congress would be to drastically subsidize the expansion of domestic biodiesel production. I mention only biodiesel, because of the issue with corn based ethanol cutting into our food supply. To counter that issue, why don't we revitalize methanol, which can be produced from garbage, as a fuel? Ford produced several vehicles subsequent to the oil embargo which ran on methanol, so the concept is proven, we just need to reestablish the fuel production industry.

As for electricity production, I as a nuclear engineer strenuously support the expansion of nuclear power. The loudening drum beat for action against anthropogenic climate change, though I am not an advocate of the theory, has drawn support for nuclear and public opinion is shifting in its favor. Assuming that you are an avid supporter of the INL and the nuclear industry, I would like to address my frustration with Senator Harry Reid's ignorance and stubbornness of the Yucca mountain repository. I hope you are asserting the fact to him and his supporters that it is a repository, not a dump as they keep calling it. I'm sure you've used the example of the French as the right thing to do considering 80% of their electricity is generated by nuclear, their waste is reprocessed, and most importantly, they are energy independent.

Lastly, I would like to thank you for addressing the issue of energy with the people of Idaho. I hope you will carry our message to the Senate with great fervor and it will not fall upon deaf ears.

BRIAN J. GROSS, *Idaho Falls.*

Our family is affected very little. You see, Senator Crapo, a year ago I was anticipating something like this and bought a 35mpg Kia Spectra, with which my wife and commute to our jobs 60 miles round-trip every day.

About a year ago, I noticed how the value of the dollar was on a steady decline due to Bush Administration policies (Chinese debt to fund the war, flooding the globe with USDs, unregulated futures commodities) and expected that since the value of a barrel of oil was based on the USD, and the value of the USD was on the rapid decline, I had better do something fast. So I bought the best value in a high MPG automobile that I could find, a Korean car. I would have bought an American car, but again, I was looking for value, and no American manufacturers could offer the same value as South Korean made Kia. A shame.

So, to answer your question—it has not affected us that much at all. We were prepared because we could see the future based on our analysis of Republican policies.

BRUCE BACON.

DEAR SENATOR CRAPO: Thank you for wanting to know what the people think. Energy prices really haven't changed my life at all. I produce almost all the power and hot water I need with solar panels and have a solar charging electric car.

Producing more oil in the U.S. will solve nothing as any new supply will be bought by China and India. We need to change fuel sources. Electricity will be the future fuel

source and it must be generated in Idaho by hydro/geothermal/wind/solar. Renewables are: Free fuel forever.

Nuclear will only make us more dependant on imports. We import 58 percent of our oil which is not a good thing. We import over 92 percent of the uranium used to fuel nuclear power plants. So, we should be talking about getting off our dependence of imported nuclear fuel with the goal of shutting down our nuclear power plants when the renewable generation is in place.

JOHN WEBER, *Boise.*

I'm not going to bore you with sad tales of my life today. I want all you folks in DC to tell the enviros they're killing a country whose life and economy are based on oil. If they want a perfect world in one national park from coast to coast, find another country to do it in.

Next, I want you to take crude oil off the commodities markets. All that is is people making all the money they possibly can and not having a care about what they are doing to people worldwide.

Is this asking too much of people elected to represent us instead of listening to a minority that makes a lot of noise. And if you're making money off of crude on the commodities market, then I guess you'll get rid of this E-mail.

MIKE ARNOLD.

I am lucky enough to work only 10 miles from my home. My husband got a job at the same place as I, so now we can carpool to work, saving on fuel. However, he is in the process of getting hired on with the police force. We have an SUV that we are in over our heads on in payments, as many Americans are. We also have a dodge diesel that gets 18.0 miles to the gallon. We leased this vehicle and have 2 more years left to go. The only reason we did this was because gasoline was \$3.00/gallon and diesel was \$1.99/gallon. Then, prices soared. We are no longer allowed to go camping, hunting, riding our ATVs, or even go fishing. It costs too much.

Not only are we feeling confined to our home, but businesses are suffering too. We are willing to pay a campground fee to have fun, but we cannot even afford to leave. We take our children to daycare, go to work, pick our children up from daycare, and go home. On Sunday, we go to church and come home. We do not have the luxury of going to the store for fun anymore with the spare change we have. Our stimulus check went into the bank to pay for future fuel costs. By the way, it's gone now.

I fully support the means of finding alternate energy not only for fuel, but for electrical power as well.

STEPHANIE L. ROVIG, *Middleton.*

I was around for the first "energy crisis" in 1973. A few years later, Americans were again reminded that our oil comes from "over there," is a finite resource, and should be conserved. But we did not listen. So here we are, thirty-five years later, with another opportunity to change our driving habits and our energy consumption. Switching to biofuels and electricity is not going to help much: the production of both consumes huge quantities of fossil fuels. Americans must conserve energy. We must learn to think differently about our energy consumption. We are like the dieter who loses fifty pounds, looks great, feels great, and then slowly gains all the weight back because he had not changed the way he thinks about food. Americans get into "feel good" mode. We walk conservation, talk conservation, and sometimes even drive conservatively. But when the newness of higher gas prices wears off, we go right back to overconsumption.



The government isn't going to help out long-term if they go after the gas and oil companies. Okay, maybe their profits seem a bit high in light of what everybody else is going through, but ultimately, conservation will affect the market and they'll have to turn down the prices. Government can subsidize mass transit and price it so that it's the economic choice. Government can reward conservation. Incentives for auto manufacturers to produce energy conscious vehicles will inspire research and could result in some little guy creating the next great automotive company, one whose main focus is energy conservation. We can change the ethos that drives our American reliance on petrochemicals. We must change the ethos, for the good of our planet and the social structures that it supports.

That is my story. Thanks for asking, Senator Crapo.

MIRIAM I. LYNGHOLM, *Moscow.*

Thank you for your proactive email on a critical issue. I am usually the one emailing you (along with Larry Craig, and Bill Sali) about whatever issue it is that I feel needs attention . . . line the still porous Southern border!! My husband and I have not done our usual weekly lunch out and our pizza night. I find, if I am lacking something for a recipe, I just do without it. Before the insanity of the current pump prices, I would just hop in the car and head to the store to get the missing item. That usually interpreted itself to a minimum \$20.00 purchase, because you always see something to just "pick up while I am there". But, no more. I find I incorporate as many errands in one trip as possible. I am definitely driving less, eating out less, and shopping less, even at the grocery.

Do I like this? Not one bit, especially when it is as unnecessary as it is. We have resources in this country that have not even been explored. Drill off the Atlantic. I have lived on the Florida Gulf coast. I know what a spill does, but the technology and safe guards are far superior to what they used to be! Move the limit out a bit, then explore. How about the shale available in Utah, Wyoming, and Colorado? I do not advocate destroying beautiful places at all. There are ways to return the earth to its previous state. We don't "scalp" the forest anymore with clear cutting. We have learned forest management. The same can be true of retrieving the oil from shale. Why then, does it take 2 years just to get the air permit to start up in those states? We won a world war in just twice that time. Surely, we can push paper faster in this crisis. Our economy is being crippled . . . one family at a time.

I hope you will vote to start exploring/drilling at a sensible distance off our shores . . . but START! The other issue is the free reign of the futures/commodity speculators and their part in all of these inflated prices. This has not happened before on this type of scale. Wasn't there some regulation in place that was done away with in the late 1990s that opened the way for this pillaging that is happening today? I implore you to take measures to stop these people who are inflating these prices and lining their pockets at the pain of others.

Thank you for writing and for your vigilance on the border (even though nothing is happening), and the gas price issues.

VIRGINIA CARTER, *Boise.*

Should be an easy one for your office to track. Follow a bbl of oil from AK, MT, WY, ND, SD, PA, TX or CA from the wellhead to the service station. You may not be able to publish what you come up with. . .

RODGER COLGAN.

I read with sadness your email on the poor plight of us Americans being consumed by

rising Energy prices. Your aim at getting more exploration for energy reserves misses the entire problem.

The problem is not that Gas prices, have gone up. Nor have housing prices or food prices increased.

You are looking at the symptom of a much bigger problem. What has changed is that the value of the dollar has decreased. As pegged by the price of gold, silver and the euro the dollar is worth less than it was in 2000. At that time gold was about \$250 per ounce, the Euro was \$.92 and Silver was somewhere around \$5.00. Today Gold is near \$900, Silver around \$17 and the euro is around \$1.55.

So Gas should be about \$5.76. Given that the price of gold has gone up over 3 times and so has silver.

The problem Senator is that the value of the Dollar or more accurately that Federal Reserve Token that most Americans refer to as the Dollar has declined.

It has declined because of the overprinting by the Federal Reserve who at Congresses request asks them to print more so they can borrow these fictitious dollars and pay back the private bankers called the Federal Reserve at an amazing profit.

When you measure gas prices and food prices against real money as defined by our constitution, i.e. Gold and Silver, gas in real terms is about a \$1.60 in 2000 terms.

One could argue that the price of Gold has also gone up in price but that is missing the point. Money as defined is a store of labor. A dollar as defined by our constitution is 25.8 grains of gold. You cannot inflate or deflate gold or silver. They are what they are. Sound. The Federal Reserve Tokens most Americans refer to as dollars, on the other hand is printed as fast or as slow as the government who borrows it. The Federal Reserve then charges interest on something that has been created out of thin air. What a business that has got to be. That is why the founders established a sound currency backed by gold. In 1913 Congress fell for a scheme to take the people's money. In 1929 Roosevelt created a banking holiday to convince the people that taking sound money from them would save the country. The people obviously confused by the recent events and nearly 20 years of advertising by the Federal Reserve Banksters were convinced that they should give up good money for worthless paper currency.

Let me give you an analogy most Americans might understand. Let us assume you are playing monopoly. We will give you a special player's piece let us call it the pig. The pig is playing like all the other players, however you, as the pig get to the coveted piece of real estate called Boardwalk. On realizing that you don't have enough money to buy Boardwalk you simply take some from the bank (Federal Reserve) and buy it. Now the other players (THE People of the U.S.) that you are playing with do not see you do this. However, after many more rolls of dice you seem to never run short of money. You simply go to the Federal Reserve and grab some more monopoly money. Now other players cannot seem to keep up. Their money is worthless. IN fact you have so much you simply bid up the price of anything you want to buy. This of course creates a huge disadvantage but you don't care you are the Pig, er government. Now the bank is asking for you to begin making those huge interest payments so now rather than the other players getting \$200 when they pass go you pass a new rule and the other players get a bill for \$200. Doesn't seem fair does it? Well that is what you and the other congressmen have been doing for the last 90+ years.

So here we are today with Congress borrowing paper currency or debt instruments

that the Federal Reserve gets to charge the people interest on. This Business by the banksters is something for nothing Banking Scam.

Real Money, Gold and Silver, does not change over time. It is sound, it is fair and when this country was founded some 230 years ago it changed an economy that was in the shambles to one of stability.

Today what does change is how many dollars Congress borrows to fund the occupation in Iraq, Afghanistan and the other 700 bases we have around the world.

The only real solution to this is to go back to a Gold Standard, and abolish the Federal Reserve, which is neither Federal nor are there any reserves. This private banking system, coupled with you and congresses overspending is what has put our economy in a tailspin that is much like the created disaster of 1929 and 1979.

Now the world no longer wants our debt and since we have no real money to pay it back with. The solution is to get back to a gold backed currency that the world can respect and trust.

It is nice that you congressmen and women point fingers as to the symptoms of the problem but you need to be pointing the fingers at yourselves who have allowed the problem. You have allowed President Bush and Dick Cheney, to run amuk with a blank check book spending money on a war that was never approved by the spineless Congress.

You can pass all the laws and resolutions you wish but they are just window dressing. Until we get sound money and Congress takes responsibility for allowing Dick Cheney to run the white house then we will continue to see our wealth erode.

My hope is that you pull all the troops home, shut down all the bases and put this country on a sound money system by eliminating the Federal Reserve. Until you stop printing and spending Federal Reserve Tokens on guns and butter the dollar will continue its free fall until the people's wealth has been confiscated by the over printing of the currency.

May God bless you Congressman if you stand up to this charade created so long ago. For our country to survive you must take a stand.

If you don't take a stand, if no one stands up for the values our founders instituted so long ago, then I fear that our country will become just like other 3rd world countries whose governments have stolen the people blind with fiat currencies like what we have here in the United States.

Good Luck.

DAVID DEHAAS.

Like you or any other politician in DC really cares about the common folk who sent them there. You all could have set forth changes to allow more exploration and development of our own oil/gas in such areas as off the coasts and in ANWR but you didn't. So I ask you again why bother acting like you care, you don't pay for gas in your car or try to buy fuel to run your farm or truck.

ALBERT MORRISON, *Ammon.*

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-435. A communication from the Chief Financial Officer, Department of Housing and Urban Development, transmitting, pursuant to law, a report relative to the Department's competitive sourcing efforts during

fiscal year 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-436. A communication from the Under Secretary for Industry and Security, Department of Commerce, transmitting, pursuant to law, a report relative to the imposition of foreign policy controls on reexports to Iran and exports and reexports to certain parties pursuant to Executive Order 13382; to the Committee on Banking, Housing, and Urban Affairs.

EC-437. A communication from the Legal Information Assistant, Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Minimum Capital Ratios; Capital Adequacy Guidelines; Capital Maintenance; Capital: Deduction of Goodwill Net of Associated Deferred Tax Liability" (RIN1550-AC22) received in the Office of the President of the Senate on January 11, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC-438. A communication from the Associate General Counsel for Legislation and Regulations, Office of Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Consolidated Returns; Intercompany Obligations" (RIN1545-BA11) received in the Office of the President of the Senate on January 11, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC-439. A communication from the Associate General Counsel for Legislation and Regulations, Office of Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Standards for Mortgagee's Investment in Mortgaged Property: Compliance With Court Order Vacating Final Rule" (RIN2502-AI52) received in the Office of the President of the Senate on January 11, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC-440. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Minimum Capital Ratios; Capital Adequacy Guidelines; Capital Maintenance; Capital: Deduction of Goodwill Net of Associated Deferred Tax Liability" (Docket No. R-1329) received in the Office of the President of the Senate on January 9, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC-441. A communication from the Acting Assistant Secretary for Water and Science, Bureau of Reclamation, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Reclamation Rural Water Supply Program" (RIN1006-AA54) received in the Office of the President of the Senate on January 11, 2009; to the Committee on Energy and Natural Resources.

EC-442. A communication from the Chief Financial Officer, Federal Mediation and Conciliation Service, transmitting, pursuant to law, a report relative to financial integrity for fiscal year 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-443. A communication from the Secretary, American Battle Monuments Commission, transmitting, pursuant to law, the Commission's annual report for fiscal year 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-444. A communication from the Director, National Gallery of Art, transmitting, pursuant to law, an annual report relative to the Gallery's competitive sourcing activities during fiscal year 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-445. A communication from the Secretary of the Treasury, transmitting, pursu-

ant to law, the Department's Performance and Accountability Report for fiscal year 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-446. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, the report of a violation of the Antideficiency Act that occurred within the U.S. Southern Command, and has been assigned case number 08-05; to the Committee on Appropriations.

EC-447. A communication from the Attorney of the Office of Assistant General Counsel for Legislation and Regulatory Law, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program for Commercial and Industrial Equipment: Energy Conservation Standards for Commercial Ice-Cream Freezers; Self-Contained Commercial Refrigerators, Commercial Freezers, and Commercial Refrigerator-Freezers Without Doors; and Remote Condensing Commercial Refrigerators, Commercial Freezers, and Commercial Refrigerator-Freezers" (RIN1904-AB59) received in the Office of the President of the Senate on January 12, 2009; to the Committee on Energy and Natural Resources.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HATCH:

S. 215. A bill to authorize the Boy Scouts of America to exchange certain land in the State of Utah acquired under the Recreation and Public Purposes Act; to the Committee on Energy and Natural Resources.

By Mr. HATCH:

S. 216. A bill to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of designating Estate Grange and other sites related to Alexander Hamilton's life on the island of St. Croix in the United States Virgin Islands as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HATCH:

S. 217. A bill to amend the National Trails System Act to require the Secretary of the Interior to update the feasibility and suitability studies of four national historic trails, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HATCH:

S. 218. A bill to require the Secretary of the Interior to convey certain Bureau of Land Management land to Park City, Utah, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HATCH:

S. 219. A bill to provide for the sale of approximately 25 acres of public land to the Turnabout Ranch, Escalante, Utah, at fair market value; to the Committee on Energy and Natural Resources.

By Mr. GRASSLEY:

S. 220. A bill to amend title 28, United States Code, to provide an Inspector General for the judicial branch, and for other purposes; to the Committee on the Judiciary.

By Mr. NELSON of Florida:

S. 221. A bill to amend the Commodity Exchange Act to require energy commodities to be traded only on regulated markets, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. FEINGOLD:

S. 222. A bill to amend the Internal Revenue Code of 1986 to increase the national

limitation on qualified energy conservation bonds and to clarify that certain programs constitute a qualified conservation purpose, and for other purposes; to the Committee on Finance.

By Mr. FEINGOLD:

S. 223. A bill to amend the Farm Security and Rural Investment Act of 2002 to further the adoption of technologies developed by the Department of Agriculture, to encourage small business partnerships in the development of energy through biorefineries, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. STABENOW (for herself and Mr. BROWN):

S. 224. A bill to promote economic recovery through green jobs and infrastructure, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BAYH (for himself, Mr. HATCH, Mrs. LINCOLN, Mr. KERRY, Mr. LUGAR, Mr. KENNEDY, Ms. STABENOW, Mr. BENNETT, and Mr. VOINOVICH):

S. 225. A bill to amend title XIX of the Social Security Act to establish programs to improve the quality, performance, and delivery of pediatric care; to the Committee on Finance.

By Mr. TESTER (for himself and Mr. BAUCUS):

S. 226. A bill to designate the Department of Veterans Affairs outpatient clinic in Havre, Montana, as the Merrill Lundman Department of Veterans Affairs Outpatient Clinic; to the Committee on Veterans' Affairs.

By Mr. CARDIN (for himself, Mrs. CLINTON, Ms. MIKULSKI, and Mr. SCHUMER):

S. 227. A bill to establish the Harriet Tubman National Historical Park in Auburn, New York, and the Harriet Tubman Underground Railroad National Historical Park in Caroline, Dorchester, and Talbot Counties, Maryland, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BINGAMAN (for himself and Mr. AKAKA):

S. 228. A bill to amend title XIX of the Social Security Act to permit States, at their option, to require certain individuals to present satisfactory documentary evidence of proof of citizenship or nationality for purposes of eligibility for Medicaid, and for other purposes; to the Committee on Finance.

By Mrs. BOXER:

S. 229. A bill to empower women in Afghanistan, and for other purposes; to the Committee on Foreign Relations.

By Mrs. BOXER:

S. 230. A bill to express United States foreign policy with respect to, and to strengthen United States advocacy on behalf of, individuals persecuted and denied their rights in foreign countries on account of gender, and for other purposes; to the Committee on Foreign Relations.

By Mr. VITTER (for himself, Mr. DEMINT, Mr. INHOFE, Mr. BARRASSO, Mr. SESSIONS, Mr. ENZI, and Mr. BROWNBACK):

S.J. Res. 5. A joint resolution relating to the disapproval of obligations under the Emergency Economic Stabilization Act of 2008; placed on the calendar, pursuant to P.L. 110-343, sec. 115(e)(2).

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. NELSON of Florida (for himself and Mr. MARTINEZ):

S. Res. 13. A resolution congratulating the University of Florida football team for winning the 2008 Bowl Championship Series (BCS) national championship; to the Committee on the Judiciary.

#### ADDITIONAL COSPONSORS

S. 64

At the request of Mr. INHOFE, the names of the Senator from Kansas (Mr. BROWNBACK) and the Senator from Oklahoma (Mr. COBURN) were added as cosponsors of S. 64, a bill to amend the Emergency Economic Stabilization Act to require approval by the Congress for certain expenditures for the Troubled Asset Relief Program.

S. 85

At the request of Mr. VITTER, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 85, a bill to amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to any entity that performs abortions.

S. 96

At the request of Mr. VITTER, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 96, a bill to prohibit certain abortion-related discrimination in governmental activities.

S. 174

At the request of Mr. INOUE, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 174, a bill to establish a coordinated and comprehensive Federal ocean and coastal mapping program.

S. 211

At the request of Mrs. CLINTON, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 211, a bill to facilitate nationwide availability of 2-1-1 telephone service for information and referral on human services and volunteer services, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. NELSON, of Florida:

S. 221. A bill to amend the Commodity Exchange Act to require energy commodities to be traded only on regulated markets, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. NELSON of Florida. Mr. President, over the past half year, as the price of a barrel of oil has rocketed into the sky—all the way to \$147 a barrel and in 1 day the price escalating \$25—there have been a number of Senators on this floor and in committee meetings and in private discussions saying: Why won't people wake up and realize it is not the economic marketplace of supply and demand that is determining the price of oil? Who wants us to believe that? The oil companies, of course. In fact, the price of oil has escalated not because there is a tightness on the world marketplace of de-

mand for oil. Indeed, at the very time of a 6-month period from the last quarter of last year until the first quarter of 2008—that 6-month period when the demand for oil was going down and the supply was going up, which would indicate the price should be going down if supply is greater than demand—exactly the reverse was true. The price kept rocketing to the Moon.

It defied the laws of supply and demand. Yet we had everybody running out saying, "Oh, it is the tight world marketplace," and it was difficult to get people to listen to a group of Senators who said it was because the commodities futures exchanges had been deregulated and, therefore, unregulated oil futures contracts speculation was running wild.

Then, once it got up to \$147 a barrel, what happened? The liquidity crisis hit, the economic crisis of confidence hit—not only in America but across the world. A lot of this was precipitated by the faulty mortgages, the subprime mortgages we are now not paying off in the revenue stream because people weren't paying their mortgages. Those mortgages had been bundled into securities and then bought and sold, and a lot of financial institutions, hedge funds, mutual funds and, indeed, big investments for pension funds started dumping those because they needed cash, and they started dumping their positions on oil futures commodities that they had purchased in this speculative frenzy that ran the price up to \$147 a barrel. What happened? The exact reverse. The price of oil starts coming down. So what should we do about this? Well, we ought to do what a number of us have been saying: We ought to go back and reregulate what we have jurisdiction over, which is the Commodities Futures Trading Commission.

Now, why was it deregulated? It was deregulated in the dead of night before Christmas in the year 2000, and it was deregulated at the behest of the Enron Corporation. And once they deregulated that commodities futures trading market on energy, it allowed them to go out and speculate on energy contracts. What was the first result? In the early part of this decade we saw it happen in California. We saw the electricity contracts start a runup in speculative bidding, to which it went up—the cost of electricity—by as high as 300 percent in California. Once that started to unravel, then we know what happened: Enron started to unravel with all the shenanigans that had gone on there.

But here we are 7 and 8 years later, after the law was changed, and we haven't been able to get it changed back because people come out here and say: Oh, it is supply and demand in the world market for oil, and they come up with a simple slogan, as if that was going to handle the price of oil when it was hitting \$147 and translated into about \$4-gallon-gasoline. Their simple little slogan was "drill baby, drill," as

if that were going to solve the problem of the price of gasoline and the price of oil.

But now we hear—and people are starting to pay attention—we ought to reregulate this futures commodities trading. Now, what do we mean by regulate? I am talking about simple little things, such as you would have to use the oil that you are bidding on, such as an airline does. It locks in a future price for fuel by bidding on these future oil contracts. An airline, in fact, does use oil. By taking away the regulation, they have removed that ability. Or to give another example of regulation: A Commodities Futures Trading Commission could say you have to put a certain amount of money down if you are going to buy a future oil contract. Instead of getting it with nothing down, you have to put some skin in the game. But if you completely deregulate it, what you leave it to is the speculator to go in and bid that price up and up and up.

Now, this is what we have been saying on the floor of this Senate for the last 6 or 8 months, a number of us—Senator DORGAN, Senator CANTWELL, this Senator, and several other Senators—but it has been hard to get an audience that would listen. Well, no less a respected institution than CBS News "60 Minutes" last Sunday night broke it open and put it about as clearly as I have ever heard in posing this question: Did speculation fuel oil price swings?

And what they concluded was that 6 months ago, when oil hit its alltime high of \$147, and gas was up around \$4 a gallon, it created a frenzy that fed into irrational and false claims that the problem was just supply and demand and that the solution was to drill for more oil.

Well, it looks a lot different now. That frenzy that got mixed up in Presidential politics as well, with those simplified mantras of "drill baby, drill," fueled by a slick public relations campaign, that was funded by deep-pocket oil companies. Yet those same oil companies testified in the spring of 2008 that if supply and demand were the sole driver of oil prices, that oil should cost no more than \$55 a barrel. We had executives of two of the big major oil companies say the normal laws of supply and demand would say that oil ought to be in the range of \$55 to \$65 a barrel, and they testified, this Senator thinks, correctly.

So ask yourself: Could supply and demand justify the wild swings in prices? And in that one instance where oil jumped \$25 in 1 day for a barrel of oil, ask yourself: Could the new oil demands by China and India, that have needs for new oil products, could that have suddenly caused that price to jump so much in a single day? And the answer, clearly, is: No. It was speculation that caused that bubble to grow. Wall Street investors shifted billions of dollars out of the stock market and into the commodities futures market

and ultimately into oil, and that is what was the biggest driver of running up the price of oil and gasoline.

What is even more powerful in demonstrating the influence of speculators on oil prices is examining what happened to those prices after we in the Senate, and down at the other end of the Capitol in the House, started threatening regulation again. Well, guess what happened. The prices went down. When Wall Street experienced a financial meltdown with the collapse of Lehman Brothers and the near collapse of AIG, prices fell even more as the Wall Street speculators got out of the oil futures markets to the tune of \$70 billion. The speculative bubble in commodities, which was not only energy but agricultural commodities, all of a sudden bubble popped.

Demand for oil in the United States is down by 5 percent, but the price of oil is down 75 percent. So we shouldn't be fooled by the drop in prices. Some financial analysts, fortunately, are not fooled by the drop in prices. They are advising investors that low oil prices are a temporary phenomenon and that oil prices will average above \$75 a barrel over the next 5 years.

Well, a number of us, months ago, filed a bill to stop the trading of oil and other energy commodities on the unregulated exchanges, and what the bill does is it turns the clock back to a change in law that was pushed by the Enron Corporation, known as the Enron loophole, which opened the way for a flood of speculative money in these commodity markets. I am introducing that bill again today, and I seek our colleagues' support.

We must be vigilant to ensure that Wall Street investors do not take advantage of the lax regulation to reap profits by driving up the price of oil and making driving a lot more expensive for the rest of us. Let us remember that we saw what happened with another form of unregulated financial instruments. That was those insurance policies that had a fancy name, called credit default swaps. They were unregulated. Look what happened: The collapse of AIG that had to come in to the tune of upward of a \$100 billion rescue from the Federal Government. I don't believe it is simple coincidence that the same legislation that let those credit default swaps escape regulation also allowed energy traders to conduct their business in the shadows. We need to bring that industry out of the darkness and into the full light of day.

Mr. President, I wish to quote a couple lines from this Sunday's interview on CBS News "60 Minutes." A representative of the Petroleum Marketers Association is interviewed, a Mr. Gilligan, and he says:

Approximately 60 to 70 percent of the oil contracts in the futures markets are now held by speculative entities, not by the companies that need oil, not by the airlines, not by the oil companies, but by investors that are looking to make money from their speculative positions.

Now, that is a representative of the oil companies that said that. Further-

more, the investigative reporter, Steve Kroft, quotes a fellow named Michael Masters, and he states:

In a five-year period, Masters said the amount of money institutional investors, hedge funds and the big Wall Street banks had placed in the commodities markets went from \$13 billion to \$300 billion. Last year, 27 barrels of crude were being traded every day on the New York Mercantile Exchange for every 1 barrel of oil that was actually being consumed in the United States.

That is Mr. Kroft's analysis on "60 Minutes," and he was referring to a former Wall Street trader named Michael Masters.

I wish to end by further quoting Mr. Kroft from 60 Minutes:

A recent report out of MIT analyzing world oil production and consumption also concluded that the basic fundamentals of supply and demand could not have been responsible for last year's runup in oil prices.

Another quote from an interviewee: "From quarter four of '07 until the second quarter of '08"—that is a 6-month period—"the Energy Information Administration said that supply went up, worldwide supply went up, and worldwide demand went down . . . This was the period of the spike" in oil prices "so you had the largest price increase in history during a time when actual demand was going down and actual supply was going up during that same period. The only thing that makes sense that lifted the price was investor demand"—in other words, the speculators making an artificial demand.

I think it is clear. That is why I am introducing this legislation. I look forward with great optimism to the passage of this kind of legislation.

Mr. President, I ask unanimous consent that the text of the bill and a "60 Minutes" transcript be printed in the RECORD.

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

S. 221

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. REGULATION OF ENERGY COMMODITIES.**

(a) DEFINITIONS.—Section 1a of the Commodity Exchange Act (7 U.S.C. 1a) is amended—

(1) by redesignating paragraphs (13) through (34) as paragraphs (14) through (35), respectively;

(2) by inserting after paragraph (12) the following:

"(13) ENERGY COMMODITY.—The term 'energy commodity' includes—

- "(A) crude oil;
- "(B) natural gas;
- "(C) heating oil;
- "(D) gasoline;
- "(E) metals;
- "(F) construction materials;
- "(G) propane; and
- "(H) other fuel oils.";

(3) by striking paragraph (15) (as redesignated by paragraph (1)) and inserting the following:

"(15) EXEMPT COMMODITY.—The term 'exempt commodity' means a commodity that is not—

- "(A) an agricultural commodity;
- "(B) an energy commodity; or

"(C) an excluded commodity.".

(b) CURRENT AGRICULTURAL COMMODITIES.—Section 5(e)(1) of the Commodity Exchange Act (7 U.S.C. 7(e)(1)) is amended by striking "agricultural commodity enumerated in section 1a(4)" and inserting "agricultural commodity or an energy commodity".

(c) CONFORMING AMENDMENTS.—

(1) Section 2(c)(2)(B)(i)(II)(cc) of the Commodity Exchange Act (7 U.S.C. 2(c)(2)(B)(i)(II)(cc)) is amended—

(A) in subitem (AA), by striking "section 1a(20)" and inserting "section 1a(21)"; and

(B) in subitem (BB), by striking "section 1a(20)" and inserting "section 1a(21)".

(2) Section 13106(b)(1) of the Food, Conservation, and Energy Act of 2008 is amended by striking "section 1a(32)" and inserting "section 1a".

(3) Section 402 of the Legal Certainty for Bank Products Act of 2000 (7 U.S.C. 27) is amended—

(A) in subsection (a)(7), by striking "section 1a(20)" and inserting "section 1a"; and

(B) in subsection (d)—

(i) in paragraph (1)(B), by striking "section 1a(33)" and inserting "section 1a"; and

(ii) in paragraph (2)(D), by striking "section 1a(13)" and inserting "section 1a".

**THE PRICE OF OIL—HISTORIC OIL PRICES WERE RESULT OF FINANCIAL SPECULATION FROM WALL STREET AND NOT SUPPLY AND DEMAND**

Steve Kroft: About the only economic break most Americans have gotten in the last six months has been the drastic drop in the price of oil, which has fallen even more precipitously than it rose. In a year's time, a commodity that was theoretically priced according to supply and demand, doubled from \$69 a barrel to nearly \$150. And then, in a period of just three months, crashed along with the stock market. So what happened? It's a complicated question, and there are lots of theories. But many people believe it was a speculative bubble, not unlike the one that caused the housing crisis, and that it had more to do with traders and speculators on Wall Street than with oil company executives or sheiks in Saudi Arabia.

(Oil refinery; workers at refinery; stock market traders on floor; New York Mercantile Exchange; trading screen; farmer working field; corn; airplane; trading screen; oil refinery)

(Voiceover) To understand what happened to the price of oil, you first have to understand the way it's traded. For years it's been bought and sold on something called the commodities futures market. Here at the New York Mercantile Exchange, it's traded alongside cotton and coffee, copper and steel by brokers who buy and sell contracts to deliver those goods at a certain price at some date in the future. It was created so that farmers could gauge what their unharvested crops would be worth months in advance so that factories could lock in the best price for raw materials, and airlines could manage their fuel costs. But more than a year ago, that market started to behave erratically. And when oil doubled to more than \$147 a barrel, no one was more suspicious than Dan Gilligan.

Mr. Dan Gilligan: We have to make sure that the futures market is an honest market.

(Dan Gilligan speaking; men listening to Gilligan; oil tanker; Gilligan; crowd talking to Gilligan; stock market traders)

Kroft: (Voiceover) As the president of the Petroleum Marketers Association, he represents more than 8,000 retail and wholesale suppliers, everyone from home heating oil companies to gas station owners. When we talked to him last summer, his members were getting blamed for gouging the public,

even though their costs had also gone through the roof. He told us the problem was in the commodities markets, which had been invaded by a new breed of investor.

Mr. Gilligan: Approximately 60 to 70 percent of the oil contracts in the futures markets are now held by speculative entities, not by companies that need oil, not by the airlines, not by the oil companies, but by investors that are looking to make money from the speculative positions.

Kroft: They don't actually take delivery of the oil?

Mr. Gilligan: No, no.

Kroft: All they do is—

Mr. Gilligan: All they do is buy the paper and hope that they can sell it for more than they paid for it before they have to take delivery.

Kroft: They're trying to make money on the market for oil?

Mr. Gilligan: Absolutely, on the volatility that exists in the market. They make it going up and down.

(Sean Cota unhooking hose from truck; Cota filling tank; calculator)

Kroft: (Voiceover) He says his members in the home heating oil business, like Sean Cota of Bellows Falls, Vermont, were the first to notice the effects a few years ago, when prices seemed to disconnect from the basic fundamentals of supply and demand. Cota says there was plenty of product at the supply terminals, but the prices kept going up and up.

Mr. Sean Cota: We've had three price changes during the day where we pick up products, actually don't know what we paid for, and we'll go out and we'll sell that to the retail customer, guessing at what the price was. The volatility is being driven by the huge amounts of money and the huge amounts of leverage that is going into these markets.

(Michael Masters at desk; computer screen)

Kroft: (Voiceover) About the same time hedge fund manager Michael Masters reached the same conclusion. Masters' expertise is in tracking the flow of investments into and out of financial markets, and he noticed huge amounts of money leaving stocks for commodities and oil futures, most of it going into index funds, betting that the price of oil was going to go up.

Who was buying this paper oil, pension fund?

Mr. Michael Masters: California pension fund, Harvard endowment, lots of large institutional investors. And by the way, other investors, hedge funds, Wall Street trading desk, were following right behind them putting money, sovereign wealth funds were putting money in the futures markets, as well. So you had all these investors putting money in the futures markets, and that was driving the price up.

(New York Stock Exchange; stock traders; oil refinery)

Kroft: (Voiceover) In a five-year period, Masters said the amount of money institutional, investors, hedge funds and the big Wall Street banks had placed in the commodities markets went from \$13 billion to \$300 billion. Last year, 27 barrels of crude were being traded every day on the New York Mercantile Exchange for every one barrel of oil that was actually being consumed in the United States.

Mr. Masters: We talked to the largest physical trader of crude oil, and they told us that, compared to the size of the investment inflows—and remember, this is the largest physical crude oil trader in the United States—they said that, "We are basically a flea on an elephant," that that's how big these flows were.

(Senate hearings; Lawrence Eagles)

Kroft: (Voiceover) Yet when Congress began holding hearings last summer and asked Wall Street banker Lawrence Eagles of JPMorgan what role excessive speculation played in rising oil prices, the answer was little to none.

Mr. Lawrence Eagles: We believe that high energy prices are fundamentally a result of supply and demand.

(JPMorgan building; e-mail; oil refinery; oil tank; oil register)

Kroft: (Voiceover) As it turns out, not even JPMorgan's chief global investment officer agreed with him. The same day that Eagles testified, this e-mail went out to clients, saying "an enormous amount of speculation" ran up the price, and "\$140 in July was ridiculous." If anyone had any doubts, they were dispelled a few days after that hearing, when the price of oil jumped \$25 in a single day.

September 22nd.

Mr. Michael Greenberger: September 22nd. (Michael Greenberger; CFTC building; oil pipelines)

Kroft: (Voiceover) Michael Greenberger, a former director of trading for the Commodity Futures Trading Commission, the federal agency that oversees oil futures, says there were no supply disruptions that could have justified such a big increase.

Mr. Greenberger: Did China and India suddenly have gigantic needs for new oil products in a single day? No. Everybody agrees supply-demand could not drive the price up \$25, which was a record increase in the price of oil. The price of oil went from somewhere in the 60s to \$147 in a—less than a year. And we were being told on that runup, it's supply-demand, supply-demand, supply-demand.

(Oil refinery; Masters; woman talking; Masters)

Kroft: (Voiceover) A recent report out of MIT analyzing world oil production and consumption also concluded that the basic fundamentals of supply and demand could not have been responsible for last year's runup in oil prices. And Michael Masters says the US Department of Energy's own statistics showed that if the markets had been working properly the price of oil should have been going down, not up.

Mr. Masters: From quarter four of '07 until the second quarter of '08, the EIA, the Energy Information Administration said that supply went up, worldwide supply went up, and worldwide demand went down. So you have supply going up and demand going down, which generally means that price is going down.

Kroft: And this was the period of the spike?

Mr. Masters: This was the period of the spike. So you had the largest price increase in history during a time when actual demand was going down and actual supply was going up during the same period. However, the only thing that makes sense that lifted the price was investor demand.

(Oil refinery; buildings)

Kroft: (Voiceover) Masters believes the investor demand for commodities and oil futures in particular, was created on Wall Street by hedge funds and the big Wall Street investment banks like Morgan Stanley, Goldman Sachs, Barclays and JPMorgan, who made billions investing hundreds of billions of dollars of their clients' money.

Mr. Masters: The investment banks facilitated it. You know, they found folks to write papers espousing the benefits of investing in commodities. And then they promoted commodities as a, quote-unquote, "asset class." Like, you could invest in commodities just like you could in stocks or bonds or anything else, like they were suitable for long-term investment.

(Gilligan)

Kroft: (Voiceover) Dan Gilligan of the Petroleum Marketers Association agreed.

Are you saying that companies like Goldman Sachs and Morgan Stanley and Barclays have as much to do with the price of oil going up as Exxon or Shell?

Mr. Gilligan: Oh, absolutely. Yes. I tease people sometimes that, you know, people say, "Well, who's the largest oil company in America?" And they'll always say "Well, ExxonMobil or Chevron or BP." But I'll say, "no, Morgan Stanley."

(Morgan Stanley building; flow chart of Morgan Stanley ownerships)

Kroft: (Voiceover) Morgan Stanley isn't an oil company in the traditional sense of the word. It doesn't own or control oil wells or refineries or gas stations. But according to documents filed with the Securities and Exchange Commission, Morgan Stanley is a significant player in the wholesale market through various entities controlled by the corporation.

It not only buys and sells the physical product through subsidiaries and companies that it controls, Morgan Stanley has the capacity to store and hold 20 million barrels. These storage tanks behind me in New Haven, Connecticut, hold Morgan Stanley heating oil bound for homes in New England, where it controls nearly 15 percent of the market.

(Building; oil refinery; pipeline; storage terminals; men walking; buildings; barge; oil storage tank)

Kroft: (Voiceover) The Wall Street bank Goldman Sachs also has huge stakes in companies that own a refinery in Coffeyville, Kansas, and control 43,000 miles of pipeline and more than 150 storage terminals. And analysts at both investment banks contributed to the oil frenzy that drove prices to record highs. Goldman's top oil analyst predicted last March that the price of a barrel was going to \$200. Morgan Stanley predicted \$150 a barrel. Both companies declined our requests for an interview, but maintain that their oil businesses are completely separate from their trading activities, and that neither influence the independent opinions of their analysts. There is no evidence that either company has done anything illegal.

Is there price manipulation going on?

Mr. Gilligan: I can't say. And the reason I can't say is because nobody knows. Our federal regulators don't have access to the data. They don't know who holds what positions.

Kroft: Why don't they know?

Mr. Gilligan: Why don't they know?

Kroft: Yeah.

Mr. Gilligan: Because federal law doesn't give them the jurisdiction to find out.

(Oil storage; oil refinery; pipeline; Wall Street sign; American flags; Capitol building; stock exchange)

Kroft: (Voiceover) It's impossible to tell exactly who is buying and selling all those oil contracts because most of the trading is now conducted in secret, with no public scrutiny or government oversight. Over time, the big Wall Street banks were allowed to buy and sell as many oil contracts as they wanted for their clients, circumventing regulations intended to limit speculation. And in 2000, Congress effectively deregulated the futures market, granting exemptions for complicated derivative investments called oil swaps, as well as electronic trading on private exchanges.

Who is responsible for deregulating the oil future market?

Mr. Greenberger: You'd have to say Enron. This was something they desperately wanted and they got.

(Greenberger; CFTC building; Enron; people at desks)

Kroft: (Voiceover) Michael Greenberger, who wanted more regulation while he was at

the Commodity Futures Trading Commission, not less, says it all happened when Enron was the seventh largest corporation in the United States.

Mr. Greenberger: (Voiceover) This was when Enron was riding high, and what Enron wanted, Enron got.

Kroft: Why did they want a deregulated market in oil futures?

(Traders at desks; spreadsheet; man at computer)

Mr. Greenberger: Because they wanted to establish their own little energy futures exchange through computerized trading.

(Voiceover) They knew that if they could get this trading engine established without the controls that had been placed on speculators, they would have the ability to drive the price of energy products in any way they wanted to take it.

When Enron failed, we learned that Enron and its conspirators who used their trading engine were able to drive the price of electricity up, some say by as much as 300 percent, on the West Coast.

Kroft: Is the same thing going on right now in the oil business?

Mr. Greenberger: Every Enron trader who knew how to do these manipulations became the most valuable employee on Wall Street.

(Oil rig; stock market ticker; oil rig in ocean)

Kroft: (Voiceover) But some of them may now be looking for work. The oil bubble began to deflate early last fall when Congress threatened new regulations and federal agencies announced they were beginning major investigations. It finally popped with the bankruptcy of Lehman Brothers and the near collapse of AIG, who were both heavily invested in the oil markets. With hedge funds and investment houses facing margin calls, the speculators headed for the exits.

Mr. MASTERS: From July 15th until the end of November, roughly \$70 billion came out of commodities futures from these index funds. In fact, gasoline demand went down by roughly 5 percent over that same period of time. Yet the price of crude oil dropped more than \$100 a barrel. It dropped 75 percent.

Kroft: How do you explain it?

Mr. Masters: By looking at investors. That's the only way you can explain it.

Kroft: The regulatory lapses in the commodities market that many believe fomented the rapid speculation in oil have still not been addressed, although the incoming Obama administration has promised to do so.

By Mr. FEINGOLD:

S. 222. A bill to amend the Internal Revenue Code of 1986 to increase the national limitation on qualified energy conservation bonds and to clarify that certain programs constitute a qualified conservation purpose, and for other purposes; to the Committee on Finance.

Mr. FEINGOLD. Mr. President, over the past few days I have introduced a series of bills that are part of my E4 Initiative, dubbed E4 because of its focus on economy, employment, education, and energy. Today I am introducing two bills that are part of this effort: the Community Revitalization Energy Conservation, CREC, Act of 2009 and the Energy and Technology Advancement, ETA, Act of 2009.

The newest among my E4 bills is the Community Revitalization Energy Conservation, CREC, Act of 2009. This bill will increase the amount of funding available to State and local govern-

ments for the rehabilitation and revitalization of the fledgling green economy, and also expand the types of eligible projects to cover energy efficiency improvements to privately owned buildings. While our country is facing its greatest economic challenge since the Great Depression, we have a tremendous opportunity to create jobs critical to addressing the energy challenges we face. The CREC Act amends the recently authorized Qualified Energy Conservation Bond, QECCB, program to increase funding for important public-private partnerships to significantly invest in energy efficiency and conservation, a key national priority. It also offers States and local governments the opportunity to create jobs and stimulate their local economies.

First, my bill will more than quadruple the amount of bonds that can be issued under the Qualified Energy Conservation Bond program—increasing the program from \$800 million to \$3.6 billion. This will provide the opportunity for private investors to partner with State and local governments to fund energy investments through State and locally issued tax credit bonds. As we give private investors the opportunity to participate in the green economy through Qualified Energy Conservation Bonds, we signal to the market that the Federal Government will continue to affirm the importance of investment in energy efficiency and conservation, as well as the development of new energy technologies. Helping these new energy technologies thrive is not only a promising way to develop the next generation of energy technology to reduce our energy consumption, it will also help to spur job creation as State and local governments embark on capital improvements.

Increasing the size of the program will support funding for eligible projects including energy efficiency improvements of publicly owned buildings; rural development of electricity from renewable sources; research facilities or grants for renewable technologies such as advanced automobile battery technology and nonfossil fuels; mass commuting facilities that reduce energy consumption; or financing qualified energy production projects such as wind, biomass, geothermal, landfill gas, and solar.

Secondly, my bill expands the types of eligible programs to ones that reduce energy consumption in privately owned buildings. It would allow States and local governments to help homeowners and businesses make improvements such as heating-fuel saving measures; electricity-saving measures; on-site renewable energy generating devices; or water-saving measures that reduce the energy use of the owner, renter or water provider. Gains in efficiency savings between 20–30 percent are easily achievable through improving lighting, insulation, HVAC equipment and controls for these items. These measures are often one-time and

low maintenance or maintenance free once they have been installed. In terms of costs, implementing efficiency measures only costs about 3 cents per kWh of energy saved while implementing wind and solar projects can cost at least two to three times more.

Importantly, my bill will increase the success of these energy efficiency and conservation programs by ensuring the Qualified Energy Conservation Bond program can be used to promote novel payment structures in order to reduce the prohibitive upfront costs that homeowners and businesses must pay for energy efficiency and conservation upgrades. By eliminating expensive up-front costs for homeowners and businesses, we can eliminate one of the main obstacles to making significant energy efficiency gains. Furthermore, we can virtually eliminate what homeowners and businesses have to pay for the efficiency and conservation upgrades by not increasing their out-of-pocket expenses. For example, States and local governments can work with electric and water utilities to bill individuals or businesses monthly for the cost of the efficiency improvements based on the savings they receive. The payment for the efficiency improvements each month will be no more than the monthly energy-savings realized by the improvements, thereby keeping their monthly payments the same as before the energy improvements.

The Center on Wisconsin Strategy states that buildings account for 40 percent of total U.S. energy consumption, 70 percent of U.S. electricity consumption, and 43 percent of U.S. carbon emissions, a larger share than either transportation or industry. It is possible that the U.S. could realize more than \$200 billion in annual savings from improved building efficiency alone. However, one of the challenges associated with implementing building efficiency measures is its prohibitive cost. Unfortunately, poor households devote a disproportionate share of income to home energy costs, often upwards of 10 percent, because they have less income and tend to live in less efficient buildings and use less efficient appliances. Through building retrofits we have the potential to generate about 10 person years of employment in direct installation of efficiency measures and another 3–4 person years in the production of relevant materials for every \$1 million spent on retrofits.

Large cities and counties with populations over 100,000 would be eligible for Wisconsin's share, \$65.7 million, that my bill would allow for. Eligible local governments in Wisconsin include: Milwaukee, Madison, Green Bay, and the counties of Milwaukee, Dane, Waukesha, Brown, Racine, Outagamie, Kenosha, Winnebago, Rock, Marathon, Washington, Sheboygan, La Crosse, and Walworth.

I commend the city of Milwaukee and the Center on Wisconsin Strategy—they have already begun to develop a



program to address retrofitting residential buildings with energy efficiency measures through Me2—Milwaukee Energy Efficiency. COWS' initial estimates suggest if you could retrofit nearly all of the existing housing stock in Milwaukee, an initial investment of just under \$250 million could result in annual energy savings of over \$80 million. Examples of other cities that are tackling the issue of energy efficiency in residential buildings include Berkeley, CA; Babylon, NY; and Brookhaven, NY.

All of these efforts to conserve energy require investments in time and money. By combining efforts on two of the challenges that we currently face—energy and employment—we can create great opportunities. Energy efficiency and conservation are in our national interest for our long term economic well-being, for the health and safety of our citizens and the world as we mitigate the effects of climate change, and for our independence and security.

I have urged the Treasury Department to quickly issue regulations for the Qualified Energy Conservation Bonds so the initial program can get up and running. Once regulations are finalized, States and local governments can begin applying to receive an allotment of the bonds to pursue projects that may have been shelved in our struggling economy.

The second energy bill I am introducing as part of my E4 Initiative is the Energy and Technology Advancement Act. This bill will increase partnerships between the Federal Government and businesses to help spur the commercialization of energy, forestry, and other technologies—in other words, to increase the ETA, or estimated time of arrival, for bringing new technologies to market.

Particularly in the area of energy, we must do more to make new energy solutions, like next generation biofuels, a reality. My bill will help make the Federal Government a better business partner for the many businesses that are researching and developing innovative technology solutions our country needs. We are squandering the Federal investment of billions into research and development by not doing enough to prevent new technologies from sitting on the shelf or being shipped to another country. Helping these new energy technologies get off the ground is not only a promising way to develop the next generation of energy technology that will help break our addiction to oil, it will also help to spur job creation and enhance rural development.

One obstacle identified by the Forest Service's Wisconsin-based Forest Products Lab which conducts forestry and energy technology research with businesses and others, is lack of Federal support for moving technologies from the research and development phase to commercialization. My bill will bridge this gap by authorizing the U.S. Department of Agriculture, USDA, which

includes the Forest Service, to work with businesses and provide access to resources to assist with getting technologies to market.

By encouraging the USDA to act as a "business incubator," we can increase the rate of success and reduce the length of time for bringing technologies to the market. By providing a bridge to move new technologies beyond the research and development phase to commercialization, the Federal Government will accelerate the development of new technologies and create increased opportunities for small businesses, local and State government, and others.

All energy, forestry, and other technologies will benefit from my ETA Act because it will help new technologies come to the market. It does so by promoting the Federal Government as a better business incubator, encouraging the USDA to provide business support services, and authorizing USDA employees and private-sector employees to work together in Federal or private experimental or product facilities. My bill will also increase cooperation between the Federal Government and innovative businesses by encouraging the USDA to allow rental of Federal equipment and property for the development of new technology.

Lastly, a specific partnership encouraged by my Energy and Technology Advancement Act will spur the commercialization of biofuels. My bill requires the USDA to pursue a bio-refinery pilot plant that will allow businesses to partner with the Federal Government to test various biofuels technologies derived from a variety of feedstocks, including woody and agriculture waste.

Certainly one of today's greatest challenges—energy—is also one of tomorrow's greatest opportunities. Today, the transportation sector accounts for 70% of our oil consumption. However, there are promising efforts to significantly lessen our dependence on oil by reducing fuel consumption through increased efficiency and by aggressively pursuing renewable fuels, or biofuels. The commercialization of biofuels will also create job opportunities, support rural development and industries such as forestry, and develop the next generation of fuels that are sustainable and from diverse sources.

Given our current dire fiscal situation, it is more important than ever that we are careful stewards of taxpayer dollars. Not only are both of these new bills fully offset, so as not to worsen our current Federal deficit; they actually provide over a billion dollars in deficit reduction. That's yet another reason to pass them, and I look forward to working with my colleagues to do just that.

By Mr. TESTER (for himself and Mr. BAUCUS):

S. 226. A bill to designate the Department of Veterans Affairs outpatient clinic in Havre, Montana, as the Mer-

rill Lundman Department of Veterans Affairs Outpatient Clinic; to the Committee on Veterans' Affairs.

Mr. TESTER. Mr. President, I rise today with my colleague Senator BAUCUS to introduce legislation honoring a Montana veteran named Merrill Lundman.

Merrill was not a general officer. He did not become famous in battle, or wealthy in his civilian life. After serving in the Army, he came home to north-central Montana to work on the family farm and, later, for 20 years for the BNSF railroad. Some people might say he was just an ordinary man who served his country in the Army for three years, and then came home to work to live most of his days on the Hi-Line, a strip of U.S. Highway 2 in Montana that cuts across the prairie near the northern border.

But because of Merrill Lundman, thousands of veterans in and around Havre, Montana, can expect to get their VA medical care a little bit closer to home. You see, for the last several years of his life, Merrill devoted his time and his energy to pushing the VA to open a new community based outpatient clinic in Havre. And today, his dream has become a reality.

I am sorry that Merrill Lundman is not with us today to celebrate this day. He died just over one year ago, on December 22, 2007. Less than a month later, the VA announced its intention to establish a clinic in Havre.

The data says that veterans who live in rural areas don't live as long—or as well—as their urban peers. That's because it's harder to get to the VA facility that may be hundreds of miles away—especially this time of year when snow and ice can make travel in Montana treacherous. I don't know if Merrill knew this, but he sensed that his fellow veterans were getting a raw deal, and he didn't hesitate to tell the VA and his congressional delegation.

The story of this clinic is a grassroots effort led by one man who stood up for his fellow band of brothers to make sure that they can get the care that they have earned. And to honor that effort, Senator BAUCUS and I are proud to introduce this legislation, and I look forward to working with Chairman AKAKA to move this bill quickly through the Veterans' Affairs Committee.

By Mr. CARDIN (for himself, Mrs. CLINTON, Ms. MIKULSKI, and Mr. SCHUMER):

S. 227. A bill to establish the Harriet Tubman National Historical Park in Auburn, New York, and the Harriet Tubman Underground Railroad National Historical Park in Caroline, Dorchester, and Talbot Counties, Maryland, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. CARDIN. Mr. President, today I am proud to introduce The Harriet Tubman National Historical Park and The Harriet Tubman Underground

Railroad National Historical Park Act. I am joined by Mrs. CLINTON, Ms. MIKULSKI, and Mr. SCHUMER as original co-sponsors. We originally introduced nearly identical legislation last summer, but the press of legislative business did not allow for consideration of this important legislation. This year we will work for its prompt consideration and enactment.

The woman, who is known to us as Harriet Tubman, was born Araminta "Minty" Ross approximately 1822 in Dorchester County, Maryland. She spent nearly 30 years of her life as a slave on Maryland's Eastern Shore. As an adult she took the first name Harriet, and when she was 25 she married John Tubman.

Harriet Tubman escaped from slavery in 1849. She did so in the dead of night, navigating the maze of tidal streams and wetlands that are a hallmark of Maryland's Eastern Shore. She did so alone, demonstrating courage, strength and fortitude that became her hallmarks. Not satisfied with attaining her own freedom, she returned repeatedly for more than 10 years to the places of her enslavement in Dorchester and Caroline counties where, under the most adverse conditions, she led away many family members and other slaves to their freedom. Tubman became known as "Moses" by African-Americans and white abolitionists. She was perhaps the most famous and most important conductor in the network of resistance known as the Underground Railroad.

During the Civil War, Tubman served the Union forces as a spy, a scout and a nurse. She served in Virginia, Florida, and South Carolina. She is credited with leading hundreds of slaves from those slave States to freedom during those years.

Following the Civil War, Tubman settled in Auburn, NY. There she was active in the women's suffrage movement, and she also established the one of the first incorporated homes for aged African-Americans. In 1903 she bequeathed the home to the African Methodist Episcopal Zion Church in Auburn. Harriet Tubman died in Auburn in 1913 and she is buried there in the Fort Hill Cemetery.

Slaves were forced to live in primitive buildings even though many were skilled tradesmen who constructed the substantial homes of their owners. Not surprisingly, few of the structures associated with the early years of Tubman's life still stand. The landscapes of the Eastern Shore of Maryland, however, remain evocative of the time that Tubman lived there. Farm fields and forests dot the landscape, which is also notable for its extensive network of tidal rivers and wetlands. In particular, a number of properties including the homestead of Ben Ross, her father, Stewart's Canal, where he worked, the Brodess Farm, where she worked as a slave, and others are within the boundaries of the Blackwater National Wildlife Refuge.

Similarly, Poplar Neck, the plantation from which she escaped to freedom, is still largely intact in Caroline County. The properties in Talbot County, immediately across the Choptank River from the plantation, are today protected by various conservation easements. Were she alive today, Tubman would recognize much of the landscape that she knew intimately as she secretly led black men, women and children to their freedom.

In New York, on the other hand, many of the buildings associated with Tubman's life remain intact. Her personal home, as well as the Tubman Home for the Aged, the church and rectory of the Thompson Memorial AME Zion Episcopal Church, and the Fort Hill Cemetery are all extant.

In 1999, the Congress approved legislation authorizing a Special Resource Study to determine the appropriateness of establishing a unit of the National Park Service to honor Harriet Tubman. The Study has taken an exceptionally long time to complete, in part because of the lack of remaining structures on Maryland's Eastern Shore. There has never been any doubt that Tubman led an extraordinary life. Her contributions to American history are surpassed by few. Determining the most appropriate way to recognize that life and her contributions, however, as been more difficult. Eventually, the Park Service came to realize that determined that a Park that would include two geographically separate units would be appropriate. The New York unit would include the tightly clustered Tubman buildings in Auburn. The Maryland portion would include large sections of landscapes that are evocative of Tubman's time and are historically relevant. The Harriet Tubman National Historical Park and the Harriet Tubman Underground Railroad National Historical Park Act, S. 3383, was first introduced on July 31, 2008. The Special Resource Study will be finalized and released in the near future.

The legislation I am introducing today establishes two parks. The Harriet Tubman National Historical Park includes important historical structures in Auburn, New York. They include Tubman's home, the Home for the Aged that she established, the African Methodist Episcopal AME Zion Church, and the Fort Hill Cemetery where she is buried.

The Harriet Tubman Underground Railroad National Historical Park includes historically important landscapes in Dorchester, Caroline, and Talbot counties, Maryland, that are evocative of the life of Harriet Tubman. The Maryland properties include about 2,200 acres in Caroline County that comprise the Poplar Neck plantation that Tubman escaped from in 1849. The 725 acres of viewshed across the Choptank River in Talbot County would also be included in the Park. In Dorchester County, the parcels would not be contiguous, but would include about 2,775 acres. All of them are in-

cluded within the Blackwater National Wildlife Refuge boundaries or about that resource land. The National Park Service would not own any of these lands.

The bill authorizes \$11 million in grants for the New York properties for their preservation, rehabilitation, and restoration of those resources.

The bill authorizes an additional \$11 million in grants for the Maryland section. Funds can be used for the construction of the State Harriet Tubman Park Visitors Center and/or for easements or acquisition of properties inside or adjacent to the Historical Park boundaries.

Finally, the bill also authorizes a new grants program. Under the program, the National Park Service would award competitive grants to historically Black colleges and universities, predominately Black institutions, and minority serving institutions for research into the life of Harriet Tubman and the African-American experience during the years that coincide with the life of Harriet Tubman. The legislation authorizes \$200,000 annually for this scholarship program.

Harriet Tubman was a true American patriot. She was someone for whom liberty and freedom were not just concepts. She lived those principles and shared that freedom with hundreds of others. In doing so, she has earned a nation's respect and honor. That is why I am so proud to introduce this legislation, establishing the Harriet Tubman National Historical Park and the Harriet Tubman Underground Railroad National Historical Park.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 227

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Harriet Tubman National Historical Park and Harriet Tubman Underground Railroad National Historical Park Act".

**SEC. 2. FINDINGS; PURPOSES.**

- (a) FINDINGS.—Congress finds that—
- (1) Harriet Tubman (born Araminta "Minty" Ross)—
    - (A) was born into slavery in Maryland around 1822;
    - (B) married John Tubman at age 25;
    - (C) endured through her youth and young adulthood the hardships of enslaved African-Americans; and
    - (D) boldly emancipated herself from bondage in 1849;
  - (2) not satisfied with attaining her own freedom, Harriet Tubman—
    - (A) returned repeatedly for more than 10 years to the places of her enslavement in Dorchester and Caroline Counties, Maryland; and
    - (B) under the most adverse circumstances led away many family members and acquaintances to freedom in the northern region of the United States and Canada;
  - (3) Harriet Tubman was—
    - (A) called "Moses" by African-Americans and white abolitionists; and

(B) acknowledged as 1 of the most prominent “conductors” of the resistance that came to be known as the “Underground Railroad”;

(4) in 1868, Frederick Douglass wrote that, with the exception of John Brown, Douglass knew of “no one who has willingly encountered more perils and hardships to serve our enslaved people” than Harriet Tubman;

(5) during the Civil War, Harriet Tubman—

(A) was recruited to assist Union troops as a nurse, a scout, and a spy; and

(B) served in Virginia, Florida, and South Carolina, where she is credited with facilitating the rescue of hundreds of enslaved people;

(6) Harriet Tubman established in Auburn, New York, 1 of the first incorporated homes for aged African-Americans in the United States, which, 10 years before her death, she bequeathed to the African Methodist Episcopal Zion Church;

(7) there are nationally significant resources comprised of relatively unchanged landscapes associated with the early life of Harriet Tubman in Caroline, Dorchester, and Talbot Counties, Maryland;

(8) there are nationally significant resources relating to Harriet Tubman in Auburn, New York, including—

(A) the residence of Harriet Tubman;

(B) the Tubman Home for the Aged;

(C) the Thompson Memorial AME Zion Church; and

(D) the final resting place of Harriet Tubman in Fort Hill Cemetery;

(9) in developing interpretive programs, the National Park Service would benefit from increased scholarship of the African-American experience during the decades preceding the Civil War and throughout the remainder of the 19th century;

(10) it is fitting and proper that the nationally significant resources relating to Harriet Tubman be preserved for future generations as units of the National Park System so that people may understand and appreciate the contributions of Harriet Tubman to the history and culture of the United States; and

(11) in addition to the properties and resources within the boundary of the Harriet Tubman Underground Railroad National Historical Park, other associated land within the Blackwater National Wildlife Refuge and proposed additions to the Refuge are—

(A) components of the nationally significant Harriet Tubman landscape; and

(B) essential to the visual, historical, and cultural experiences of the Historical Park.

(b) PURPOSES.—The purposes of this Act are—

(1) to preserve and promote stewardship of the resources in Auburn, New York, and Caroline, Dorchester, and Talbot Counties, Maryland, relating to the life and contributions of Harriet Tubman;

(2) to provide for partnerships with the African Methodist Episcopal Zion Church, the States of New York and Maryland, political subdivisions of the States, the Federal Government, local governments, nonprofit organizations, and private property owners for resource protection, research, interpretation, education, and public understanding and appreciation of the life and contributions of Harriet Tubman;

(3) to sustain agricultural and forestry land uses in Caroline, Dorchester, and Talbot Counties, Maryland, that remain evocative of the landscape during the life of Harriet Tubman; and

(4) to establish a competitive grants program for scholars of African-American history relating to Harriet Tubman, the Harriet Tubman historic landscape, and the Underground Railroad.

### SEC. 3. DEFINITIONS.

In this Act:

(1) CHURCH.—The term “Church” means the Harriet Tubman Home, Inc., of the AME Zion Church located in Auburn, New York, which owns and manages—

(A) the Thompson Memorial AME Zion Church;

(B) the Harriet Tubman home;

(C) the Tubman Home for the Aged; and

(D) the land on which those facilities are located.

(2) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term “historically Black college or university” has the meaning given the term “part B institution” in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(3) PREDOMINANTLY BLACK INSTITUTION.—The term “Predominantly Black Institution” has the meaning given the term in section 499A(c) of the Higher Education Act of 1965 (20 U.S.C. 1099e(c)).

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(5) VISITOR CENTER.—The term “Visitor Center” means the Harriet Tubman Underground Railroad State Park Visitor Center to be constructed under section 5(d).

### SEC. 4. ESTABLISHMENT OF HARRIET TUBMAN NATIONAL HISTORICAL PARK.

(a) ESTABLISHMENT.—On the execution of easements with the Church, the Secretary shall—

(1) establish the Harriet Tubman National Historical Park (referred to in this section as the “Historical Park”) in the City of Auburn, New York, as a unit of the National Park System; and

(2) publish notice of the establishment of the Historical Park in the Federal Register.

(b) BOUNDARY.—

(1) IN GENERAL.—The Historical Park shall be comprised of structures and properties associated with the Harriet Tubman home, the Tubman Home for the Aged, the Church, and the Rectory, as generally depicted on the map entitled “Harriet Tubman National Historical Park—Proposed Boundary”, numbered [\_\_\_\_], and dated [\_\_\_\_].

(2) AVAILABILITY OF MAP.—The map described in paragraph (1) shall be available for public inspection in the appropriate offices of the National Park Service.

(c) ACQUISITION OF LAND.—The Secretary may acquire from willing sellers, by donation, purchase with donated or appropriated funds, or exchange, land or interests in land within the boundary of the Historical Park.

(d) FINANCIAL ASSISTANCE AND COOPERATIVE AGREEMENTS.—The Secretary may provide grants to, and enter into cooperative agreements with—

(1) the Church for—

(A) historic preservation of, rehabilitation of, research on, and maintenance of properties within the boundary of the Historical Park; and

(B) interpretation of the Historical Park;

(2) the Fort Hill Cemetery Association for maintenance and interpretation of the gravesite of Harriet Tubman; and

(3) the State of New York, any political subdivisions of the State, the City of Auburn, the Church, colleges and universities, and nonprofit organizations for—

(A) preservation and interpretation of resources relating to Harriet Tubman in the City of Auburn, New York;

(B) conducting research, including archaeological research; and

(C) providing for stewardship programs, education, public access, signage, and other interpretive devices at the Historical Park for interpretive purposes.

(e) INTERPRETATION.—The Secretary may provide interpretive tours to sites located outside the boundaries of the Historical Park in Auburn, New York, that include resources relating to Harriet Tubman.

(f) GENERAL MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 3 years after the date on which funds are made available to carry out this subsection, the Secretary, in cooperation with the Church, shall complete a general management plan for the Historical Park in accordance with section 12(b) of Public Law 91-383 (16 U.S.C. 1a-7(b)).

(2) COORDINATION.—The Secretary shall coordinate the preparation and implementation of the general management plan for the Harriet Tubman National Historical Park with—

(A) the Harriet Tubman Underground Railroad National Historical Park in Maryland; and

(B) the National Underground Railroad: Network to Freedom.

### SEC. 5. ESTABLISHMENT OF THE HARRIET TUBMAN UNDERGROUND RAILROAD NATIONAL HISTORICAL PARK.

(a) ESTABLISHMENT.—There is established as a unit of the National Park System the Harriet Tubman Underground Railroad National Historical Park (referred to in this section as the “Historical Park”) in Caroline, Dorchester, and Talbot Counties, Maryland.

(b) BOUNDARY.—

(1) IN GENERAL.—The boundary of the Historical Park shall consist of certain landscapes and associated resources relating to the early life and enslavement of Harriet Tubman and the Underground Railroad, as generally depicted on the map entitled “Harriet Tubman Underground Railroad National Historical Park—Proposed Boundary”, numbered [\_\_\_\_], and dated [\_\_\_\_].

(2) ADDITIONAL SITES.—The Secretary, after consultation with landowners, the State of Maryland, and units of local government, may modify the boundary of the Historical Park to include additional resources relating to Harriet Tubman that—

(A) are located within the vicinity of the Historical Park; and

(B) are identified in the general management plan prepared under subsection (g) as appropriate for interpreting the life of Harriet Tubman.

(3) AVAILABILITY OF MAP.—On modification of the boundary of the Historical Park under paragraph (2), the Secretary shall make available for public inspection in the appropriate offices of the National Park Service a revised map of the Historical Park.

(c) ACQUISITION OF LAND.—The Secretary may acquire from willing sellers, by donation, purchase with donated or appropriated funds, or exchange, land or an interest in land within the boundaries of the Historical Park.

(d) GRANTS.—In accordance with section 7(b)(2), the Secretary may provide grants—

(1) to the State of Maryland, political subdivisions of the State, and nonprofit organizations for the acquisition of less than fee title (including easements) or fee title to land in Caroline, Dorchester, and Talbot Counties, Maryland, within the boundary of the Historical Park; and

(2) on execution of a memorandum of understanding between the State of Maryland and the Director of the National Park Service, to the State of Maryland for the construction of the Harriet Tubman Underground Railroad State Park Visitor Center on land owned by the State of Maryland in Dorchester County, Maryland, subject to the condition that the State of Maryland provide the Director of the National Park Service, at no additional cost, sufficient office space and exhibition areas in the Visitor Center to carry out the purposes of the Historical Park.

(e) FINANCIAL ASSISTANCE AND COOPERATIVE AGREEMENTS.—The Secretary may provide grants to, and enter into cooperative agreements with, the State of Maryland, political

subdivisions of the State, nonprofit organizations, colleges and universities, and private property owners for—

(1) the restoration or rehabilitation, public use, and interpretation of sites and resources relating to Harriet Tubman;

(2) the conduct of research, including archaeological research;

(3) providing stewardship programs, education, signage, and other interpretive devices at the sites and resources for interpretive purposes; and

(4)(A) the design and construction of the Visitor Center; and

(B) the operation and maintenance of the Visitor Center.

(f) INTERPRETATION.—The Secretary may provide interpretive tours to sites and resources located outside the boundary of the Historical Park in Caroline, Dorchester, and Talbot Counties, Maryland, relating to the life of Harriet Tubman and the Underground Railroad.

(g) GENERAL MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 3 years after the date on which funds are made available to carry out this subsection, the Secretary, in coordination with the State of Maryland, political subdivisions of the State, and the United States Fish and Wildlife Service, shall complete a general management plan for the Historical Park in accordance with section 12(b) of Public Law 91-383 (16 U.S.C. 1a-7(b)).

(2) COORDINATION.—The Secretary shall coordinate the preparation and implementation of the general management plan for the Historical Park with—

(A) the Harriet Tubman National Historical Park in Auburn, New York;

(B) the National Underground Railroad Network to Freedom;

(C) the Maryland Harriet Tubman Underground Railroad State Park; and

(D) the Harriet Tubman Underground Railroad Byway in Dorchester and Caroline Counties, Maryland.

(3) PRIORITY TREATMENT.—The general management plan for the Historical Park shall give priority to, with the concurrence of the owner of the property, the adequate protection of, interpretation of, public appreciation for, archaeological investigation of, and research on Stewart's Canal, the Jacob Jackson home site, the Brodess Farm, the Ben Ross and Anthony Thompson properties on Harrisville Road, and the James Cook site, all of which are privately owned and located in the area identified as the "Harriet Tubman Historic Area" on the map described in subsection (b)(1).

(h) BLACKWATER NATIONAL WILDLIFE REFUGE.—

(1) INTERAGENCY AGREEMENT.—The Secretary shall ensure that, not later than 1 year after the date of enactment of this Act, the National Park Service and the United States Fish and Wildlife Service enter into an interagency agreement that—

(A) promotes and mutually supports the compatible stewardship and interpretation of Harriet Tubman resources at the Blackwater National Wildlife Refuge; and

(B) provides for the maximum level of cooperation between those Federal agencies to further the purposes of this Act.

(2) EFFECT OF ACT.—Nothing in this Act modifies, alters, or amends the authorities of the United States Fish and Wildlife Service in the administration and management of the Blackwater National Wildlife Refuge.

(i) DUTIES OF OTHER FEDERAL ENTITIES.—Any Federal entity conducting, supporting, permitting, or licensing activities directly affecting nationally significant land within the area identified as the "Harriet Tubman Historic Area" on the map described in subsection (b)(1) shall—

(1) consult and cooperate with the Secretary with respect to the activities;

(2) identify any alternatives with regard to the proposed activity affecting the Harriet Tubman Historic Area; and

(3) to the maximum extent practicable, conduct, support, permit, or license the activities in a manner that the Secretary determines would not have an adverse effect on the Harriet Tubman Historic Area.

#### SEC. 6. ADMINISTRATION.

(a) IN GENERAL.—The Secretary shall administer the Harriet Tubman National Historical Park and the Harriet Tubman Underground Railroad National Historical Park in accordance with this Act and the laws generally applicable to units of the National Park System including—

(1) the National Park Service Organic Act (16 U.S.C. 1 et seq.); and

(2) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(b) PARK REGULATIONS.—Notwithstanding subsection (a), regulations and policies applicable to units of the National Park System shall apply only to Federal land administered by the National Park Service that is located within the boundary of the Harriet Tubman Underground Railroad National Historical Park.

#### SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated such sums as are necessary to carry out this Act (other than subsection (b)), including the provision of National Park Service personnel and National Park Service management funds for the Harriet Tubman National Historical Park and the Harriet Tubman Underground Railroad National Historical Park.

(b) GRANTS.—There are authorized to be appropriated not more than—

(1) \$11,000,000 to provide grants to the Church for—

(A) historic preservation, rehabilitation, and restoration of resources within the boundary of the Harriet Tubman National Historical Park; and

(B) the costs of design, construction, installation, and maintenance of exhibits and other interpretive devices authorized under section 4(d)(1)(B);

(2) \$11,000,000 for grants to the State of Maryland, political subdivisions of the State of Maryland, and nonprofit organizations for activities authorized under subsections (d)(1) and (e)(4)(A) of section 5; and

(3) \$200,000 for fiscal year 2010 and each fiscal year thereafter for competitive grants to historically Black colleges and universities, Predominately Black Institutions, and minority serving institutions for research into the life of Harriet Tubman and the African-American experience during the years that coincide with the life of Harriet Tubman.

(c) COST-SHARING REQUIREMENT.—

(1) CHURCH AND VISITOR CENTER GRANTS.—The Federal share of the cost of activities provided grants under paragraph (1) or (2) of subsection (b) and any maintenance, construction, or utility costs incurred pursuant to a cooperative agreement entered into under section 4(d)(1)(A) or section 5(e) shall not be more than 50 percent.

(2) HISTORICALLY BLACK COLLEGES AND UNIVERSITIES.—The Federal share of the cost of activities provided assistance under subsection (b)(3) shall be not more than 75 percent.

(3) FORM OF NON-FEDERAL SHARE.—The non-Federal share required under this subsection may be in the form of in-kind contributions of goods or services fairly valued.

By Mr. BINGAMAN (for himself  
and Mr. AKAKA):

S. 228. A bill to amend title XIX of the Social Security Act to permit

States, at their option, to require certain individuals to present satisfactory documentary evidence of proof of citizenship or nationality for purposes of eligibility for Medicaid, and for other purposes; to the Committee on Finance.

Mr. BINGAMAN. Mr. President I rise today with my colleague Senator AKAKA to introduce legislation today designed to make several very important changes to current law to ensure that U.S. citizens receive the Medicaid to which they are entitled.

Since July 1, 2006, most U.S. citizens and nationals applying for or renewing their Medicaid coverage face a new Federal requirement to provide documentation of their citizenship status. Recent reports indicate that tens-of-thousands of U.S. citizens, and in particular children, inappropriately are being denied Medicaid benefits simply because they don't have access to newly required documentation. The articles below and report by the Center on Budget and Policy Priorities highlight this very serious problem. Hospitals, physicians, and pharmacies may not be willing to treat these individuals until they have a source of payment, but they cannot qualify for Medicaid until they produce a birth certificate and ID.

This new Federal requirement was added to Medicaid by the Deficit Reduction Act of 2005, DRA, enacted February 8, 2006. The Tax Relief and Health Care Act of 2006, TRHCA, signed into law December 20, 2006, included some amendments to the DRA citizenship documentation requirement, primarily to exempt certain groups. Prior to enactment of the DRA, states were permitted to use their discretion in requiring such citizenship documentation.

Under Section 6036 of the DRA, citizens applying for or renewing their Medicaid coverage must provide "satisfactory documentary evidence of citizenship or nationality." The DRA specifies documents that are acceptable for this purpose and authorizes the HHS Secretary to designate additional acceptable documents. No Federal matching funds are available for services provided to individuals who declare they are citizens or nationals unless the state obtains satisfactory evidence of their citizenship or determines that they are subject to a statutory exemption.

According to a CRS Report for Congress updated April 15, 2008, "Based on a recent survey by the Government Accountability Office, GAO, 22 of 44 states report declines in enrollment due to the new citizenship documentation requirement. Based on another survey by the Kaiser Commission on Medicaid and the Uninsured, 13 states report a significant negative impact on enrollment and another 24 states report a modest impact. Among seven states detailed in an earlier report from the Center on Budget and Policy Priorities, only Wisconsin has a data system that

can identify denials and terminations due to a lack of citizenship documentation, and it reports that about 19,000 people had their Medicaid eligibility denied or terminated for this reason between July 31, 2006, and March 1, 2007."

A second wave study conducted from September 2007–March 2008 by the Department of Health Policy at the George Washington University School of Public Health published October 2008, "Another distressing finding is the impact the citizenship documentation requirements appear to be having on SCHIP. Many states, for important reasons, use joint applications for both Medicaid and separate SCHIP programs. The effect, however, is to apply the citizenship documentation requirements to both programs, thereby delaying coverage for both groups of children."

"Even if most or all of the reported Medicaid enrollment declines are due to the citizenship documentation requirement, a key question is whether the people who are being denied, terminated, or deterred from applying are U.S. citizens, rather than unauthorized aliens or other ineligible noncitizens. Of the 22 states reporting enrollment declines to GAO, a majority (16 states) attribute them to Medicaid coverage delays or losses for people who appear to be U.S. citizens."

It is important to note that citizenship documentation requirements do not affect Medicaid rules relating to immigrants—they apply to individuals claiming to be citizens. Most new legal immigrants are excluded from Medicaid during their first five years in the U.S. and undocumented immigrants remain eligible for Medicaid emergency services only.

The legislation I am introducing would make several very important changes to current law to ensure that U.S. citizens receive the Medicaid to which they are entitled.

First, the legislation would restore citizenship verification to a state option. Specifically, states would be permitted to determine when and to what extent citizenship verification is required of U.S. Citizens. States would also be permitted to utilize the standards most appropriate to the their population as long as such standards were no more stringent than those currently used by the Social Security Administration and includes native American tribal documents when appropriate.

Second, the legislation would ensure that individuals are afforded a reasonable time period to provide citizenship documentation utilizing the same reasonable time period standard that is available to legal immigrants to provide satisfactory evidence of their immigration status.

Third, the legislation protects children who are U.S. citizens by virtue of being born in the United States from being denied coverage after birth because of citizenship verification requirements.

Fourth, the legislation also clarifies ambiguities in Federal law to ensure that these citizen children, regardless of the immigration status of their parents, are treated like all other low-income children born in the United States and are deemed eligible to receive Medicaid services for one year.

Finally, the legislation also ensures that the thousands of citizen children and adults, who were erroneously denied Medicaid coverage, may receive retroactive Medicaid eligibility for coverage they were inappropriately denied because of citizenship verification requirements.

I urge my colleagues in the Senate to support this critical legislation, which protects low-income U.S. citizens from being inappropriately denied Medicaid coverage because of lack of documentation.

Mr. President, I ask unanimous consent that the text of the bill and letters of support be printed in the RECORD.

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

S. 228

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. STATE OPTION TO REQUIRE CERTAIN INDIVIDUALS TO PRESENT SATISFACTORY DOCUMENTARY EVIDENCE OF PROOF OF CITIZENSHIP OR NATIONALITY FOR PURPOSES OF ELIGIBILITY FOR MEDICAID.**

(a) IN GENERAL.—Section 1902(a)(46) of the Social Security Act (42 U.S.C. 1396a(a)(46)) is amended—

- (1) by inserting "(A)" after "(46)";
- (2) by adding "and" after the semicolon; and
- (3) by adding at the end the following new subparagraph:

"(B) at the option of the State and subject to section 1903(x), require that, with respect to an individual (other than an individual described in section 1903(x)(1) who declares to be a citizen or national of the United States for purposes of establishing initial eligibility for medical assistance under this title (or, at State option, for purposes of renewing or re-determining such eligibility to the extent that such satisfactory documentary evidence of citizenship or nationality has not yet been presented), there is presented satisfactory documentary evidence of citizenship or nationality of the individual (using criteria determined by the State, which shall be no more restrictive than the criteria used by the Social Security Administration to determine citizenship, and which shall accept as such evidence a document issued by a federally-recognized Indian tribe evidencing membership or enrollment in, or affiliation with, such tribe (such as a tribal enrollment card or certificate of degree of Indian blood, and, with respect to those federally-recognized Indian tribes located within States having an international border whose membership includes individuals who are not citizens of the United States, such other forms of documentation (including tribal documentation, if appropriate) that the Secretary, after consulting with such tribes, determines to be satisfactory documentary evidence of citizenship or nationality for purposes of satisfying the requirement of this subparagraph);"

(b) LIMITATION ON WAIVER AUTHORITY.—Notwithstanding any provision of section

1115 of the Social Security Act (42 U.S.C. 1315), or any other provision of law, the Secretary of Health and Human Services may not waive the requirements of section 1902(a)(46)(B) of such Act (42 U.S.C. 1396a(a)(46)(B)) with respect to a State.

(c) CONFORMING AMENDMENTS.—Section 1903 of such Act (42 U.S.C. 1396b) is amended—

- (1) in subsection (i)—
  - (A) in paragraph (20), by adding "or" after the semicolon;
  - (B) in paragraph (21), by striking "; or" and inserting a period; and
  - (C) by striking paragraph (22); and
- (2) in subsection (x)—
  - (A) by striking paragraphs (1) and (3);
  - (B) by redesignating paragraph (2) as paragraph (1);
  - (C) in paragraph (1), as so redesignated, by striking "paragraph (1)" and inserting "section 1902(a)(46)(B)"; and
  - (D) by adding at the end the following new paragraph:

"(2) In the case of an individual declaring to be a citizen or national of the United States with respect to whom a State requires the presentation of satisfactory documentary evidence of citizenship or nationality under section 1902(a)(46)(B), the individual shall be provided at least the reasonable opportunity to present satisfactory documentary evidence of citizenship or nationality under this subsection as is provided under clauses (i) and (ii) of section 1137(d)(4)(A) to an individual for the submittal to the State of evidence indicating a satisfactory immigration status."

**SEC. 2. CLARIFICATION OF RULES FOR CHILDREN BORN IN THE UNITED STATES TO MOTHERS ELIGIBLE FOR MEDICAID.**

Section 1903(x) of such Act (42 U.S.C. 1396b(x)), as amended by section 1(c)(2), is amended—

- (1) in paragraph (1)—
  - (A) in subparagraph (C), by striking "or" at the end;
  - (B) by redesignating subparagraph (D) as subparagraph (E); and
  - (C) by inserting after subparagraph (C) the following new subparagraph:
- "(D) pursuant to the application of section 1902(e)(4) (and, in the case of an individual who is eligible for medical assistance on such basis, the individual shall be deemed to have provided satisfactory documentary evidence of citizenship or nationality and shall not be required to provide further documentary evidence on any date that occurs during or after the period in which the individual is eligible for medical assistance on such basis); or"; and
- (2) by adding at the end the following new paragraph:

"(3) Nothing in subparagraph (A) or (B) of section 1902(a)(46), the preceding paragraphs of this subsection, or the Deficit Reduction Act of 2005, including section 6036 of such Act, shall be construed as changing the requirement of section 1902(e)(4) that a child born in the United States to an alien mother for whom medical assistance for the delivery of such child is available as treatment of an emergency medical condition pursuant to subsection (v) shall be deemed eligible for medical assistance during the first year of such child's life."

**SEC. 3. EFFECTIVE DATE.**

(a) RETROACTIVE APPLICATION.—The amendments made by this Act shall take effect as if included in the enactment of the Deficit Reduction Act of 2005 (Public Law 109-171; 120 Stat. 4).

(b) RESTORATION OF ELIGIBILITY.—In the case of an individual who, during the period that began on July 1, 2006, and ends on the date of enactment of this Act, was determined to be ineligible for medical assistance

under a State Medicaid program solely as a result of the application of subsections (i)(22) and (x) of section 1903 of the Social Security Act (as in effect during such period), but who would have been determined eligible for such assistance if such subsections, as amended by sections 1 and 2, had applied to the individual, a State may deem the individual to be eligible for such assistance as of the date that the individual was determined to be ineligible for such medical assistance on such basis.

[From the New York Times, June 5, 2006]  
**MEDICAID RULES TOUGHENED ON PROOF OF  
 CITIZENSHIP**  
 (By Robert Pear)

WASHINGTON, June 4.—The Bush administration plans this week to issue strict standards requiring more than 50 million low-income people on Medicaid to prove they are United States citizens by showing passports or birth certificates and a limited number of other documents.

The new standards follow a tussle with Congress. Federal health officials had considered giving states broad discretion to accept affidavits in place of official documents. But House Republicans complained, and the administration backed off, allowing affidavits “only in rare circumstances.”

The requirements, which take effect July 1, carry out a law signed by President Bush on Feb. 8.

They vividly illustrate how concern about illegal immigration is affecting domestic social welfare policy. The purpose of the law was to conserve federal money for citizens, reducing the need for states to cut Medicaid benefits or limit eligibility.

Gov. Rick Perry of Texas won enthusiastic applause at a state Republican convention on Friday when he vowed to increase border security and said, “Texas will start requiring every Medicaid applicant to verify that they are in the country legally in order to receive benefits.”

But officials in some other states and advocates for the poor said the new requirements could cause hardship for children, older Americans and poor people born at home in rural areas who never received birth certificates. Children account for about half of Medicaid recipients. People 65 and older account for about 10 percent.

Jennifer M. Ng’andu, a health policy specialist at the National Council of La Raza, a Hispanic rights group, said, “The documentation requirements will cause confusion about eligibility and will put up barriers to enrollment.”

In general, Medicaid is available only to United States citizens and to certain “qualified aliens.” Before the new standards, in many states, people who declared they were citizens did not have to support the claim.

But in a letter being sent this week to state officials, the Bush administration says, “Self-attestation of citizenship and identity is no longer an acceptable practice.”

In the law, Congress listed examples of documents that could be used to show citizenship, and it said the secretary of health and human services could “by regulation” specify other acceptable documents.

The main proponents of the new requirements were two Republican House members from Georgia, Representatives Charlie Norwood and Nathan Deal.

John E. Stone, a spokesman for Mr. Norwood, said Sunday: “Charlie provided feedback to the administration in the last two weeks to make sure the regulations would not undermine the intent of the law. Obviously you need some flexibility so that a 92-year-old woman with Alzheimer’s does not get kicked off Medicaid. What’s unacceptable

is for people to claim benefits or sign affidavits swearing they are citizens without any verification.”

In an interview Sunday, Dr. Mark B. McClellan, administrator of the Centers for Medicare and Medicaid Services, said, “We want to provide an effective way to document citizenship without placing excessive burdens on states or beneficiaries.”

In the letter to state Medicaid directors, the administration says, “An applicant or recipient who fails to cooperate with the state in presenting documentary evidence of citizenship may be denied or terminated” from the program.

The requirements will be enforced when a person applies for Medicaid or when eligibility is first recertified on or after July 1. In general, applicants and recipients will have 45 days to provide documents. People with disabilities will have 90 days.

States typically redetermine eligibility every 3 to 12 months. “Once citizenship has been proved, it need not be documented again” because it does not normally change, the administration said.

But the guidelines include a significant ambiguity: “An individual who is already enrolled in Medicaid will remain eligible if he or she showed a good-faith effort to present satisfactory evidence of citizenship and identity, even if this effort takes longer than 45 days.” The administration says that “beneficiaries will not lose benefits as long as they are undertaking a good-faith effort to provide documentation.”

States have a strong incentive to enforce the requirements. If they fail to do so, they can lose federal Medicaid money.

The guidelines say states should help people document citizenship, especially if they are homeless, mentally impaired or physically incapacitated and have no one to act on their behalf.

The guidelines list four categories of documents that can be used as evidence of citizenship, from the most reliable to the least trustworthy. The best evidence, they say, is a United States passport or a certificate of naturalization. The next category includes state and local birth certificates and State Department documents issued to children born abroad to United States citizens.

The third category consists of nongovernment documents showing place of birth. These include medical records from doctors, hospitals and clinics; nursing home admission papers; and records from life and health insurance companies.

The fourth category includes affidavits, which can be used “only in rare circumstances when the state is unable to secure evidence of citizenship” from other sources.

“An affidavit must be supplied by at least two individuals, one of whom is not related to the applicant or recipient,” the guidelines say. “Each must attest to having personal knowledge of the events establishing the applicant’s or recipient’s claim of citizenship. The individuals making the affidavit must be able to provide proof of their own citizenship and identity.”

People signing affidavits may also be asked “why documentary evidence of citizenship does not exist or cannot be readily obtained.”

[From the Birmingham News, Dec. 4, 2006]  
**MEDICAID RULES PUT PINCH ON POOR, LACK  
 OF PROOF NEEDED FOR PLAN KEEPS MANY  
 FROM HELP**

(By Kim Chandler)

The four children in her office needed immunizations. But because their mother did not have their original birth certificates, and couldn’t buy a copy, the family could not enroll in Medicaid, Dr. Marsha Raulerson said.

The children did not get their shots.

During September and October, 1,600 low-income people, many of them children, were rejected by Alabama’s Medicaid program because of tougher federal rules. They require applicants to show an original birth certificate or a copy purchased from the state Health Department with a raised seal, plus a driver’s license or other proof of citizenship and identity when signing up for Medicaid benefits.

Many more people eventually could lose benefits if they can’t produce the necessary documents.

The new rules took effect July 1 and are part of the 2005 Deficit Reduction Act. Congress approved the law because of concern that illegal immigrants were signing up for Medicaid en masse. Instead of curbing widespread fraud, advocates argue, the new rules deter poor U.S. citizens from getting health coverage.

“Under the best of circumstances, many people would be surprised to have to produce documentation of their citizenship,” said Jim Carnes of Alabama Arise, an advocacy group for the poor.

Alabama Medicaid Commissioner Carol Herrmann-Steckel said the state is working hard to keep people on the Medicaid rolls. Unlike some other states, Alabama is not kicking current Medicaid recipients off the program if they do not possess the necessary documents. Under a provision called “reasonable assurance,” current Medicaid recipients are allowed to temporarily re-enroll. Medicaid beneficiaries must re-enroll every year.

“We are doing everything we can to verify citizenship. We want to be fair to the Alabamians who are on Medicaid,” Herrmann-Steckel said. However, federal government officials have not said how long the “reasonable assurance” period could last. The number of people who could lose Medicaid benefits would be “significant,” Herrmann-Steckel said.

Medicaid is a joint federal-state health care program for the poor and disabled, and it is a major provider of medical care in Alabama. Medicaid pays for the health care of nearly 1 million Alabamians, about 20 percent of the state’s population, Herrmann-Steckel said.

Advocates fear many poor people can no longer enroll in Medicaid because they cannot locate their birth certificate, or afford to buy a copy, and do not have the required proof of citizenship such as a photo ID.

The cost of obtaining a birth certificate is a challenge for many low-income people, Carnes said, as is transportation to present the documents. The state Department of Public Health charges \$12 to search for a birth certificate.

There is currently no way to tell if the 1,600 who were denied coverage were illegal immigrants or U.S. citizens without the proper documents. But anecdotal evidence from Medicaid workers suggests some were just poor American parents. Medicaid workers asked people who had been denied coverage why they didn’t have the proper paperwork.

“By and large the reason was, ‘I can’t afford to buy four birth certificates,’” said Lee Rawlinson, deputy Medicaid commissioner for beneficiary services.

Herrmann-Steckel said the state is doing everything possible to help Medicaid-eligible people obtain the documents.

The Department of Public Health has agreed to begin faxing Medicaid officials copies of birth certificates as a last resort for applicants who can’t obtain their own. The two agencies will split the cost.

Transportation also is a problem for some families, Carnes said. While people previously could renew their Medicaid status by



mail, the new rules require a trip to see a Medicaid eligibility worker in person.

"There are all sorts of barriers, particularly for people without transportation and who may not have had a documented birth to begin with," Carnes said.

Raulerson said she cares for a family in Monroe County that once had Medicaid benefits but, without a car, has not been able to renew their coverage.

Medicaid officials say they don't know how many Alabamians have lost their Medicaid benefits because they couldn't, or didn't, visit an eligibility worker.

The Alabama Medicaid Agency is also working with other state agencies, such as the Department of Mental Health and Mental Retardation, to see if they've already verified a person's citizenship, she said.

People who also receive Medicare, the health care program for seniors, or Supplemental Security Income for a disability were exempted from the requirements after state Medicaid officials from across the country complained that would be too burdensome.

Other states are struggling to comply as well.

California has yet to implement the new federal rules. Vermont and other states are phasing in the regulations. While the law was designed to cut down on Medicaid fraud by illegal immigrants, Herrmann-Steckel said she does not believe Alabama has a widespread problem of illegal aliens receiving Medicaid.

#### NEW MEDICAID RULES COULD COST STATE MILLIONS

(By John Hanna)

The state could face millions of dollars in additional costs because of federal rules requiring Medicaid recipients to verify their citizenship, Gov. Kathleen Sebelius said Wednesday.

Sebelius said she's worried the state will have to pick up the full cost of caring for some poor, frail and elderly Kansans who are living in nursing homes, instead of sharing the cost with the federal government. Also, she said, she will propose adding state employees to verify the citizenship status of Medicaid recipients and applicants.

The governor told reporters she hopes Congress reviews the issue and other attempts to prevent illegal immigrants from obtaining social services or using driver's licenses as identification.

"There was no input from the states on how realistic these were or what the cost was," Sebelius said during a brief news conference following an unrelated meeting.

Under Medicaid requirements that took effect July 1, recipients must provide either a passport or two other documents, such as a birth certificate and a driver's license, to verify citizenship.

While the measure is targeted at illegal immigrants, some advocates for the needy have worried that citizens will either lose or be denied services because they have trouble finding the necessary documents.

State officials say the number of Kansans covered by Medicaid dropped almost 7 percent since July 1, down to 253,000 from 271,000. They believe much of the decline can be attributed to the new requirements.

Typically, every \$1 the state spends on Medicaid is matched by about \$1.50 from the federal government. If someone loses their coverage, then the state faces paying the entire bill for their services, Sebelius said.

"You're at 100 percent state dollars or push them out the door," she said.

Also, Sebelius said, the state needs to "ramp up" its staffing to handle the additional verification work. The governor is working on the budget proposal she'll submit

to the 2007 Legislature, which convenes Jan. 8.

"We're certainly going to put some of them in place," she said. "We're trying to make a careful analysis of how many we need."

She said that if the state refuses to comply with the law, it could face the loss of all federal health care dollars.

"We don't have a lot of latitude to say we're not going to do this," she said. "There are literally hundreds of millions of dollars at stake."

Meanwhile, Sebelius expressed concern about a federal law on driver's licenses passed last year.

Starting in 2008, federal agencies won't treat a state's licenses as valid ID unless a state requires license applicants to document that they're living in the United States legally. Lack of ID could prevent someone from entering a federal building or boarding a plane.

Sebelius said the law will require local driver's licenses offices to certify that someone has the proper documentation and to store the information.

"Exactly how that's going to happen, we're not quite sure," Sebelius said. "We don't basically have any of the equipment that's required to do that in any of the rural areas."

#### THOUSANDS IN KANSAS OFF MEDICAID FOLLOWING CITIZENSHIP RULES

Thousands of low-income Kansans have lost or been denied state health care coverage because of new rules requiring them to prove they are American citizens, state officials say.

Since the federally mandated rules took effect July 1, the number of Medicaid recipients in Kansas has decreased by about 18,000, to 253,000. While officials can't determine exactly how much of the 7 percent drop can be attributed to the new rules, they believe much of it can.

"The impact to the consumer has been severe," said John Anzivino, a vice president for MAXIMUS, a Reston, Va., company that helps administer the joint federal-state Medicaid program in Kansas. "From our perspective, this has possibly been the most dramatic change and challenge to the Medicaid program since its inception."

The new rules were included in last year's federal deficit reduction law and were designed to prevent illegal immigrants from enrolling in the state programs providing health coverage.

But consumer advocates said many vulnerable people who legitimately were eligible for assistance would lose coverage because they couldn't produce the necessary documentation.

"We expect that many of these that have lost coverage will regain coverage once they have gathered and provided the necessary documentation," Marcia Nielsen, executive director of the Kansas Health Policy Authority, told the Lawrence Journal-World. "They will, however, experience a gap in coverage that could prove to be significant for some."

Medicaid applicants can prove their citizenship by providing a passport. Or they can provide other documents that verify both their citizenship, such as a birth certificate, and their identities, such as a driver's license.

Anzivino said most people seeking benefits don't have a passport and are left scrambling to find birth certificates and other documents.

The number of calls each month to a Kansas Medicaid clearinghouse has more than doubled to 49,000 from 23,000, official said.

Meanwhile, Rep. Dennis Moore, a Democrat whose district is centered on the state's

portion of the Kansas City area, said federal officials were aware of states' problems with the new rules and probably would work on it when the new Congress takes office in January.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 13—CONGRATULATING THE UNIVERSITY OF FLORIDA FOOTBALL TEAM FOR WINNING THE 2008 BOWL CHAMPIONSHIP SERIES (BCS) NATIONAL CHAMPIONSHIP

Mr. NELSON of Florida (for himself and Mr. MARTINEZ) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 13

Whereas on January 8, 2009, before a crowd of more than 78,000 fans in Miami, Florida, the University of Florida Gators won the 2008 Bowl Championship Series (BCS) national title with a stunning 24-14 triumph over the University of Oklahoma Sooners;

Whereas the University of Florida is one of the premier academic institutions in the State of Florida;

Whereas the University of Florida Gators captured the Southeastern Conference championship title on December 6, 2008;

Whereas University of Florida football Head Coach Urban Meyer has won 2 BCS national championship games in the past 3 years;

Whereas University of Florida quarterback Tim Tebow was named the Most Outstanding Player of the BCS national title;

Whereas Tim Tebow won the Maxwell Award for the second time in 2 years;

Whereas the University of Florida defense held the University of Oklahoma to only 363 yards of offense in the BCS championship game;

Whereas the Gators finished 2008 ranked first in the Associated Press Poll and first in the Coaches Poll;

Whereas the Gators finished the 2008 season with a record of 13-1;

Whereas the University of Florida student athletes are among the most talented in the Nation;

Whereas University of Florida fans worldwide supported and encouraged the Gators throughout the football season;

Whereas University of Florida President J. Bernard Machen and Athletic Director Jeremy N. Foley have shown great leadership in bringing success and glory to the University of Florida; and

Whereas the University of Florida students, faculty, alumni, and all Gator fans are deeply committed to bringing pride to the University of Florida and the entire State of Florida: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the University of Florida Gators for winning the 2008 Bowl Championship Series (BCS) national championship;

(2) recognizes the achievements of the players, coaches, students, and staff whose hard work and dedication helped the University of Florida Gators win the championship; and

(3) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) the University of Florida for appropriate display;

(B) President of the University of Florida, J. Bernard Machen;

(C) Athletic Director of the University of Florida, Jeremy N. Foley; and

(D) Head Coach of the University of Florida football team, Urban Meyer.

### NOTICE OF HEARING

#### COMMITTEE ON INDIAN AFFAIRS

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, January 15, 2009 at 2:30 p.m. in room 628 of the Dirksen Senate Office Building to conduct an oversight hearing on Job Creation and Economic Stimulus in Indian Country.

Those wishing additional information may contact the Indian Affairs Committee at 202-224-2251.

### AUTHORITY FOR COMMITTEES TO MEET

#### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on January 13, 2009 at 10 a.m. to conduct a committee hearing on the nomination of Mr. Shaun Donovan to be Secretary of the U.S. Department of Housing and Urban Development.

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

#### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a hearing on Tuesday, January 13, 2009, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building. At this hearing, the Committee will consider the nomination of Steven Chu, to be Secretary of Energy.

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

#### COMMITTEE ON FOREIGN RELATIONS

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, January 13, 2009, at 9:30 a.m., to hold hearing a nomination hearing.

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

#### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate on January 13th, to conduct a hearing on the nomination of Mr. Arne Duncan, of Illinois, to be Secretary of Education. The hearing will commence at 10 a.m. in room 430 of the Dirksen Senate Office Building.

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

### LILLY LEDBETTER FAIR PAY ACT OF 2009—MOTION TO PROCEED

#### CLOTURE MOTION

Mr. REID. I now move to proceed to Calendar No. 14, S. 181, and send a cloture motion to the desk.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The 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, hereby move to bring to a close debate on the motion to proceed to Calendar No. 14, S. 181, the Lilly Ledbetter Fair Pay Act.

Jim Webb, Benjamin L. Cardin, Richard Durbin, Barbara Boxer, Dianne Feinstein, Jeff Bingaman, Mary L. Landrieu, Tom Harkin, Hillary Rodham Clinton, Charles E. Schumer, Sheldon Whitehouse, Christopher J. Dodd, Maria Cantwell, Debbie Stabenow, Patty Murray, Bernard Sanders, Barbara A. Mikulski, Harry Reid.

Mr. REID. Mr. President, I ask unanimous consent the mandatory quorum be waived.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. I now withdraw the motion.

The ACTING PRESIDENT pro tempore. The motion is withdrawn.

The Senator from New Jersey is recognized.

#### GAZA CONFLICT

Mr. LAUTENBERG. Mr. President, I rise to talk about the events that are in front of us and their significance. We are presently sharing in the excitement that surrounds this Capitol and our country at the prospect that President Obama will be taking office and leading this country in a positive fashion.

There is a lot of work to do and a lot of concerns have been brought to our attention. We are reminded by President-elect Obama that people are losing their jobs, and we cannot stand still and let it happen. Prospects are that maybe 500,000 new people a month will be out of work. The economy is fragile and there is not the capital around to get businesses started or to reverse the course we are on. And health care is of great concern to people who are uninsured and struggling.

At the same time that we are concerned about these things now in our own country, we have international responsibilities that we cannot ignore.

Even as excitement surrounds us here, inspired by the new President, we have to look away from our shores and see what is happening in the Middle East where there is fighting raging between Israel and Hamas. And even while we face domestic problems, we cannot step back from what is happening in the Middle East and the responsibility of America as the leading Nation on our globe. Although I bring this up with some degree of reluctance, we must discuss the situation that we face.

We know that governing is about choices. When we look at the Middle East right now, the choice for Israel is whether Israel steps aside and ignores the attacks on her people that come daily, without provocation.

We have all heard the opinion around the world about how awful the situation in the Middle East is. It is awful. It is terrible. When I see children hurt, when I see them killed, when I see families distressed as their economy worsens, it is a terrible sight.

I was in the Gaza Strip some years ago, bringing good news and financial assistance to the people of the Gaza as they opened a new airport. It was during the time that Arafat was President. There was hope springing up all around that maybe they could get out of the misery that existed in the Gaza Strip and develop an orderly society.

Israel is a democracy in an area of many nations that are less than democratic. When these economies flourish the wealth falls into a few hands, who build their buildings, take their resources, and buy bigger yachts and bigger airplanes for themselves and not for their countries. But there was hope that maybe the Gaza Strip would become a place of opportunity for its people. That is why I was so pleased to be there and to bring the promise of aid upon which we had agreed.

There was no Hamas there at that time. Now, Hamas is there making determinations about its future and the future of the people of the Gaza. Apparently the choice of Hamas is to continue the assault on Israel and to not let discussions take place. I am one of those people who support a two-state commitment there, knowing full well that Israel is a place that could share its knowledge and experience with the people of Gaza. But Hamas refuses to do that. It is a terrorist organization.

I remember a trip I took with several colleagues when we went to Iraq and on the way we stopped in Jordan and Syria, and we spoke to the President of Syria and I asked him to try to curb the activities of Hamas by securing the borders. I said: Why are you encouraging Hamas to find refuge here, have their headquarters here along with Hezbollah? President Asad said: They are a social service organization.

Social service—Mr. President, that is no more a social service organization than the people who attacked us on 9/11; than the people who attacked the British train system; than those who attack innocent people in various countries and cities.

Terrorism is at our throat. We have to be wary. It has changed the way our society functions. Look at all the inspections you go through if you want to catch an airplane or go into public buildings—always with an ID card. We know the results of terrorism. It is to destroy democratic society, take away the choices people have in their lives. It says women have to conduct themselves in a certain way satisfactory and

not have rights to participate in financial opportunities for themselves and their families.

And so we look at Hamas and have to ask: Does it really care about the people of Gaza or is it simply dedicated to its terrorist ways? For the answer we can review how Hamas conducts itself.

Once again, I, as a human being, as a person who cares about life and family, I am distressed to see the loss of life that is taking place in Gaza and in Israel. People are injured and frightened to go out of their homes—and yet even their home can be a place where misery prevails.

But Hamas has attacked Israel, firing rockets, and even now, when it is perhaps possible to get a cease-fire, they insist on continuing rocket firing.

We have seen the opinions of countries around the world as they look at this situation. Instead of just criticizing Israel, why isn't it said that Hamas is a terrorist organization that wants to take away people's rights, that wants to permit their innocent citizens to be used as decoys—in schools and mosques and other places—to try to hide the militants who are firing rockets into Israel?

Hamas starts by saying they don't recognize the right of the State of Israel to exist, but Israel has that right and shall defend that right. She has built a society from the sands, a society that flourishes, not just on the economic side, but on the scientific and research side. They have figured out how to grow crops in areas that were arid, and how to develop the technology that Israel is known for.

The practice of medicine is another thing that Israel is known for. There is a facility in Israel that I helped fund, in memory of my father who died as a very young man—43 years old—from cancer. There is a scientist who lived in New Jersey and was a professor at our principal institution, Rutgers University.

And he asked if I would help fund a laboratory and a facility there that did cancer research. I said yes. That was some time ago. I know they have Arab students there and they have Arab professors there and they all cooperate in helping people maintain good health. We have all seen stories in the paper about the young Arab child who came to Israel, brought by her father, to have a heart transplant. In this way Israeli science reaches out to people of all nations and all religions.

Israel has a right to exist, and a right to exist in peace, and would be more than willing to bring in the countries surrounding Israel to participate in programs for peace as it has with medicine. But there cannot be real peace without security. Israel is taking appropriate action to ensure the security of its people, and to ask them to do less is unfair.

It is impossible to say to them that if we had rockets falling on Boston, we would not respond or if we had rockets falling on Newark, NJ, we would not respond.

I can tell you, as a resident of New Jersey where we have a 2-mile strip that is said by the FBI to be the most dangerous 2-mile strip in the country for a terrorist attack, we are constantly on the alert. We have boats there, we have guards all over the place, and we make sure we are ready to defend ourselves.

Not only is Israel defending itself, as we would, against deadly aggression, it is also putting a stop to the psychological warfare that has become a daily part of life for the people in southern Israel. Innocent civilians live with constant fear that a rocket might kill them, their children, or destroy their home.

Israel, like the United States, is determined to protect and safeguard its people. After 9/11, America sought to eliminate threats to our country from Osama bin Laden and al-Qaida. Now Israel is seeking to eliminate threats from ongoing terrorist attacks.

We cannot kid ourselves about the strategy that Hamas used to gain power in Gaza. Hamas built up its image among the Palestinian people by painting itself as a social service provider. But if they really cared about the Palestinian people, they would not use them as human shields, and they would not use the rooftops of homes to launch rocket attacks.

The events of the past few weeks illustrate to the world that terrorist groups cannot be permitted to go on menacing the free world with terror attacks and there are no countries that are safe from this kind of assault.

Hamas has shown that it cares more about destruction than about improving the lives of the people of Gaza. Hamas leaders have chosen to ignore the fact that their people are suffering in poverty and instead have focused exclusively on hurting Israel.

So we ask Hamas: Stand up; show that you do care about your people and stop attacking Israel's citizens.

There will be tense days ahead in Israel and Gaza, and I am deeply concerned about the loss of innocent life, the pain of losing a family member, and injuries that may last for a lifetime.

To put a stop to the loss of innocent life, Hamas must come to its senses and pursue a cease-fire that is sustainable and durable.

Israel should be joined by nations around the world in pursuing a cease-fire because terror is ultimately possible in their own states and their own communities, whether it is in India, whether it is in France, whether it is in Spain, whether it is in the UK, or whether it is in America as we saw on 9/11.

There is only one way to bring real peace and real security to the Middle East: stop the rockets and get the people to the bargaining table.

Negotiations are being attempted with Egypt's active participation. We have to encourage these negotiations.

And it has to be very clear to Hamas and other terrorist organizations that

they are not going to win by killing people or by discouraging free thought and democratic values.

#### PROHIBITING THE SALE AND COUNTERFEITING OF PRESIDENTIAL INAUGURAL TICKETS

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the Rules Committee be discharged from further consideration of S. 60 and the Senate proceed to its immediate consideration.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 60) to prohibit the sale and counterfeiting of Presidential inaugural tickets.

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

Mr. LAUTENBERG. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (S. 60) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 60

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. PROHIBITION ON SALE AND COUNTERFEITING OF INAUGURAL TICKETS.

(a) IN GENERAL.—Chapter 25 of title 18, United States Code, is amended by adding at the end the following:

##### “§ 515. Prohibition on sale and counterfeiting of inaugural tickets

“(a) IN GENERAL.—It shall be unlawful for any person to—

“(1) except as provided in subsection (b), knowingly and willfully sell for money or property, or facilitate the sale for money or property of, a ticket to a Presidential inaugural ceremony;

“(2) with the intent to defraud, falsely make, forge, counterfeit, or falsely alter a ticket to a Presidential inaugural ceremony; or

“(3) with the intent to defraud, use, unlawfully possess, or exhibit a ticket to a Presidential inaugural ceremony, knowing the ticket to be falsely made, forged, counterfeited, or falsely altered.

“(b) EXCEPTION.—This section shall not apply to the sale for money or property, facilitation of such a sale, or attempt of such a sale, of a ticket to a Presidential inaugural ceremony—

“(1) that occurs after the date on which the Presidential inaugural ceremony for which the ticket was issued occurs; or

“(2) by an official presidential inaugural committee established on behalf of a President-elect of the United States.

“(c) PENALTY.—Whoever violates subsection (a) shall be fined under this title, imprisoned not more than 1 year, or both.

“(d) DEFINITION.—In this section, the term ‘Presidential inaugural ceremony’ means a public inaugural ceremony at which the President-elect or the Vice President-elect

take the oath or affirmation of office for the office of President of the United States or the office of Vice President of the United States, respectively.”

(b) AMENDMENT TO CHAPTER ANALYSIS.—The chapter analysis for chapter 25 of title 18, United States Code, is amended by inserting at the end the following:

“515. Prohibition on sale and counterfeiting of inaugural tickets.”

ORDERS FOR WEDNESDAY,  
JANUARY 14, 2009

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. tomorrow, January 14; that following the prayer and pledge, the Journal of

proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that the Senate then resume consideration of S. 22, the lands bill, with time until 10:30 a.m. divided equally and controlled between the two leaders or their designees; and that the cloture vote with respect to S. 22 occur at 10:30 a.m.

I further ask that the filing deadline for second-degree amendments be 10 a.m. tomorrow.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PROGRAM

Mr. LAUTENBERG. Mr. President, the manager of the bill was unable to reach an agreement to consider amendments today. As a result of this impasse, the Senate will proceed to a cloture vote on the bill at 10:30 tomorrow.

ADJOURNMENT UNTIL 9:30 A.M.  
TOMORROW

Mr. LAUTENBERG. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:38 p.m., adjourned until Wednesday, January 14, 2009, at 9:30 a.m.

## EXTENSIONS OF REMARKS

### LILLY LEDBETTER FAIR PAY ACT OF 2009

SPEECH OF

#### HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. VAN HOLLEN. Madam Speaker, I rise in strong support of the Lilly Ledbetter Fair Pay Act and the Paycheck Fairness Act. As an original cosponsor of both pieces of legislation, I will proudly cast my vote for both bills before us today.

The Lilly Ledbetter Fair Pay Act corrects an errant Supreme Court decision in the case of Ledbetter v. Goodyear, which denied a woman named Lilly Ledbetter equal pay for equal work by ruling that she had only 180 days from her first discriminatory paycheck to file her claim, whether she was aware of that discrimination or not. This legislation will help ensure fair treatment in the workplace by clarifying that every paycheck resulting from a discriminatory pay decision constitutes a new violation of employment discrimination law.

The Paycheck Fairness Act will complement the Ledbetter bill by plugging loopholes that have been used to weaken enforcement of the Equal Pay Act. This legislation will ensure that employers have a job-related reason for any disparity in pay. It also protects from retaliation employees who discuss salary matters and puts gender discrimination on equal footing with other forms of wage discrimination when it comes to seeking damages.

Madam Speaker, while we have made important strides towards gender equality in our Nation, American women still make only 78 cents for every dollar earned by their male counterparts for equal work. Together, these bills will bring us closer to America's promise of workplace equality for all of our citizens.

HONORING JOHN MANIATAKIS

#### HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2009

Mr. RADANOVICH. Madam Speaker, I rise today to congratulate John Maniatakis upon his retirement as the vice president of NI Industries, Incorporated in Los Angeles, CA. Mr. Maniatakis is retiring at the beginning of 2009 after a 50-year career.

Mr. Maniatakis was born on April 4, 1936. He graduated from Babson College, in Massachusetts, with a bachelor of science degree in economics in 1958. Upon graduating from college, he went to work for Hesse-Eastern, a division of Flightex Fabric Industries, as a contract coordinator. One year later he was assigned to Lone Star Ordnance Plant where he was responsible for overseeing production of the LAW system at the load and assembly facility. In 1961, Mr. Maniatakis returned to Bos-

ton and was quickly transferred to New Jersey and assigned as the field product assurance representative, handling field problems relative to the production of LAW components.

Throughout his professional career Mr. Maniatakis furthered his education by obtaining various degrees. In addition to attending Babson College, he received his master's degree from Boston University in 1960. The company sponsored his education, and he was able to complete programs from Northwestern University (metallurgy), Newark College of Engineering, Division of Technology (math and metallurgy), William and Mary University (contract law) and University of Southern California, Graduate School of Business (Executive Management Policy Institute). Through his education he was able to advance his career.

In 1965, Hesse-Eastern was acquired by NI Industries, Incorporated. Mr. Maniatakis stayed with the company and worked with the U.S. Army as an ordnance sales engineer at Picatinny, Frankfurt and Edgewood Arsenal. He was responsible for all contract and sub-contract activity. In 1967 he was assigned to Washington, DC APSA and acted as a liaison between the customer and the Vernon Division of NI Industries, Inc. Just 2 years after this assignment, Mr. Maniatakis was transferred to Los Angeles, CA and became the marketing manager for sales and marketing. It is through this position that he became involved with contract administration for NI Industries. He remained in that position until 1977, when Mr. Maniatakis was promoted to the position of vice president, Sales and Marketing. One year later, he was given additional responsibility for contract administration and international sales. In 1984, he was appointed to the position of vice president of NI Foreign Military Sales Corporation.

Mr. Maniatakis is involved with many organizations. He is a longtime member of the American Defense Preparedness Association, ADPA, and has held many positions including chairman of the Metal Parts Section of the Technical Division, board of directors past president for the Los Angeles Chapter and was a member of the advisory board of the Picatinny Chapter. He has been on the board of directors for the National Defense Industries Association, Munitions Industrial Base Task Force, Vernon Chamber of Commerce and the Advisory "LAW" Board. He was a vice president of the Association of the United States Army, AUSA, and the founder and past president of the Committees of American Ammunition Manufacturers.

Madam Speaker, I rise today to commend and congratulate John Maniatakis upon his retirement from NI Industries, Incorporated. I invite my colleagues to join me in wishing Mr. Maniatakis many years of continued success.

### A TRIBUTE TO THE GREATER SACRAMENTO URBAN LEAGUE

#### HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 13, 2009

Ms. MATSUI. Madam Speaker, I rise today in recognition of the Greater Sacramento Urban League's 40 years of service to the people of Sacramento. The Greater Sacramento Urban League's employment assistance and educational programs have been extremely beneficial to our youth and our community as a whole. I ask all of my colleagues to join me in honoring one of Sacramento's finest non-profit organizations as they celebrate their 40th anniversary.

Founded in 1968 the Greater Sacramento Urban League is one of the 105 affiliates of the National Urban League which has locations in 36 States across our Nation. During this time the Greater Sacramento Urban League has continued to advocate to ensure that African-Americans, other minorities and the underserved become economically self-reliant and are ensured their civil rights. By cultivating relationships with communities, corporations and government agencies the Greater Sacramento Urban League has been able to provide training to thousands of youth and adults in Sacramento County.

The Greater Sacramento Urban League has been able to assist numerous Sacramentans find employment through their One Stop Career Center which provides application and resume assistance, as well as access to online resources to find employment. They also offer other employment assistance services, such as posting job openings, developing interview skills, and effective cover letter and dress-for-success tips. In addition to employment assistance, the Greater Sacramento Urban League offers emergency assistance to low income Sacramento residents that need help paying the power, rent, or phone bills. They also offer free bus service to and from appointments and G.E.D. preparation classes. In recent months they have been helping families avert foreclosure by hosting foreclosure prevention workshops. In short, the Greater Sacramento Urban League is always there for those who need them.

The Greater Sacramento Urban League offers many programs that benefit Sacramento's youth as well. They offer after school tutoring to assist students with their homework and improve their math and reading skills. Their Sacramento Urban Youth Empowerment Program provides at-risk youths with tutoring, mentoring, job readiness training, youth employment placement, and basic computer skills to better prepare them for higher education and employment opportunities. For all of their efforts, the Greater Sacramento Urban League was awarded the national 2005 EPIC Award for Exemplary Public Interest Contribution by the United States Department of Commerce. The Greater Sacramento Urban League has

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

prospered for the last 16 years under the excellent leadership of James Shelby who was instrumental in raising the funds needed to build its current home. With the leadership of Mr. Shelby and chairwoman Susan Irwin, I am confident the Greater Sacramento Urban League will continue to provide invaluable programs for our community.

Madam Speaker, I am honored to pay tribute to the Greater Sacramento Urban League's distinguished commitment to our community and Sacramento's residents. The Greater Sacramento Urban League's dedication to equality, civil rights and workforce development has helped thousands of Sacramentans when they most needed it. We all are thankful for their efforts. As the Greater Sacramento Urban League's employees and partners gather to celebrate 40 years of service to the Sacramento region, I ask all my colleagues to join me in wishing them continued success in the future.

RECOGNIZING ISRAEL'S RIGHT TO  
DEFEND ITSELF AGAINST AT-  
TACKS FROM GAZA

SPEECH OF

**HON. TODD TIAHRT**

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, January 9, 2009*

Mr. TIAHRT. Madam Speaker, I rise today in support of H. Res. 34, a resolution recognizing Israel's right to defend itself against attacks from Gaza, reaffirming the United States' strong support for Israel, and supporting the Israeli-Palestinian peace process. I applaud Speaker PELOSI and Leader BOEHNER for bringing this resolution to the floor.

We stand in solidarity with those praying for real and lasting peace and an end to the terrorism brought upon the people of Israel. I am confident the acts of aggression carried out by those seeking the destruction of the State of Israel will not end in success. Peace will come to the land of Israel once again.

Born out of genocide and conflict, the modern State of Israel has developed into a free, democratic and prosperous country. I have been to Israel several times and I have seen how they make the desert bloom. I have witnessed their corporate compassion to take care of people in need. I have heard their pleas for peace. An unfailing ally of the United States, Israel is a beacon of freedom and religious tolerance in the Middle East.

Israel understands the dangers of terrorism all too well. From suicide bombers to thousands of incoming rockets and mortar shells, the people of Israel have experienced mass casualties of enormous and unacceptable proportions.

As Israel currently undertakes military efforts in Gaza, I stand with the Israeli Government and the Jewish community as they seek to establish peace and protect its citizens from terrorism. Hamas and radical Islam must be defeated.

No nation can sit idly by while its people are killed, its children are traumatized, and the daily life of its people is severely disrupted by terrorism. Ask yourself, would America tolerate more than 3,000 rockets launched against our homeland in just 1 year? No, we would protect our people. Israel has the responsibility to pro-

tect its citizens, as well, and that is what it is doing in on-going operations in Gaza.

Americans look forward to peace in Israel and the Middle East, but until Hamas and its terrorist allies relinquish its arms and renounce violence, the hope for peace can not be attained.

Madam Speaker, I urge my colleagues to support this important resolution.

CONGRATULATING GREGORIO  
KILILI CAMACHO SABLAN ON HIS  
ELECTION AS THE FIRST DELE-  
GATE TO CONGRESS FROM THE  
COMMONWEALTH OF THE  
NORTHERN MARIANA ISLANDS

**HON. MADELEINE Z. BORDALLO**

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Ms. BORDALLO. Madam Speaker, I rise today to congratulate Mr. Gregorio Killili Camacho Sablan on his historic election as the first Delegate to Congress from the Commonwealth of the Northern Mariana Islands (CNMI). His election comes twenty-two years after the U.S. Government first granted the residents of the CNMI U.S. Citizenship and 12 years after my predecessor, Congressman Robert A. Underwood, introduced the first bill to provide for a CNMI Delegate in the 104th Congress. Born on the island of Saipan on January 19, 1955, Mr. Sablan graduated from Marianas High School and attended the University of Guam, the University of California, Berkeley, and the University of Hawaii at Manoa.

Mr. Sablan has a long record of public service to the people of the CNMI beginning with his election to the third Commonwealth Legislature in the CNMI House of Representatives. While in that office, he worked with the Assistant Secretary of the Interior to secure funding for the CNMI. Mr. Sablan returns to the halls of Congress as a Delegate after previously working as a Special Assistant to Senator Daniel Inouye of Hawaii. Mr. Sablan then returned to the CNMI to work as a Special Assistant for Management and Budget under Governor Froilan Tenorio and most recently, he worked as the Executive Director of the Election Commission.

This historic event for the people of the CNMI and the U.S. Congress marks the first time the CNMI will have representation in the U.S. House of Representatives. The 110th Congress passed legislation that was signed into law by the President on May 8, 2008, and that among its other provisions, authorized the election to Congress of a CNMI Delegate (Title VII of U.S. Public Law 110-229). The addition of the CNMI Delegate seat marks the first time membership in the House has expanded since Congress provided for the election of a Delegate to represent American Samoa in 1980. The addition of the CNMI Delegate seat brings the total number of Delegates representing the territories and the District of Columbia in the House of Representatives to six.

As a neighbor in the Western Pacific and a fellow territorial Delegate, I welcome my new colleague, Mr. Sablan, to Washington, D.C. as the first Delegate to represent the CNMI in Congress. The historically close ties between

the people of Guam and the people of the CNMI will provide for a solid foundation on which to work together toward common goals in Washington, D.C. I look forward to strengthening these ties with Mr. Sablan and working together toward sensible and effective Federal government in the Mariana Islands. This momentous occasion renews the promise of the founding principles of American democracy, that of representative government by its citizens. As we move forward in the 111th Congress, I extend my warmest welcome and congratulations to the people of the CNMI.

BAY PINES VA HEALTHCARE SYSTEM  
RECOGNIZED NATIONALLY  
FOR EXCELLENCE IN SERVICE

**HON. C. W. BILL YOUNG**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Mr. YOUNG of Florida. Madam Speaker, the Bay Pines VA Healthcare System, which I have the honor and privilege to represent, has been honored by the Department of Veterans Affairs with the very prestigious Robert W. Carey Performance Excellence Award.

This is the highest honor given to a medical facility by the Department of Veterans Affairs and recognizes organizational excellence which translates in the highest quality of care for our nation's veterans and in this case those who receive their medical care through Bay Pines.

This award confirms what I have always known—that the dedicated staff and volunteers at Bay Pines are the best in the VA system and provide our veterans with the quality of care we would expect and they so richly deserve.

The Bay Pines VA Healthcare System is the 4th busiest of the 153 VA Medical Centers and provides services to 94,000 veterans per year at the Bay Pines medical center and at nine linked clinics. Based on the VA's performance criteria, including customer satisfaction surveys, Bay Pines ranks first among like sized facilities nationwide, first among Florida VA facilities, and fourth best in the nation for quality of care, access to care and customer satisfaction.

Bay Pines is the only facility in Florida to receive the Carey Award, which is based on the Malcolm Baldrige National Quality Criteria used by thousands of government and private organizations worldwide to assess and improve performance.

Wallace M. Hopkins, the Director of the Bay Pines VA Healthcare System, leads a team of dedicated health care professionals and selfless volunteers who care for our veterans. They continually strive to improve the quality of care our veterans receive and are working on several projects which my colleagues and I on the Appropriations Subcommittee on Veterans Affairs have supported. These include the opening of a new and larger emergency room that will more than double the capacity for emergency care for veterans including emergency mental healthcare; a new radiation oncology center to provide veterans with state-of-the-art cancer treatment; a mental health center of excellence to include inpatient, outpatient and PTSD programs; a new and larger eye care clinic; and a new and larger ambulatory surgery center.



As the veterans population of Florida and the Tampa Bay area continues to grow, the staff at Bay Pines seeks to respond quickly to meet the increased demand for veterans medical care.

Madam Speaker, representing Bay Pines and the veterans its serves is a great honor but also a great responsibility. It is reassuring to know that with receipt of the Carey Award for Excellence that Bay Pines continues to provide the highest level of care and that they never rest on their laurels as the staff and volunteers continue to search for new ways to improve the services they provide to our nation's heroes and their families. It is my hope that my colleagues will join me today in expressing to the staff and volunteers at Bay Pines our thanks and appreciation for a job well done.

#### PERSONAL EXPLANATION

### HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Mr. CONYERS. Madam Speaker, on January 9, 2009, I inadvertently cast a "yea" vote for H. Res. 34. I intended to vote "present."

#### PAYCHECK FAIRNESS ACT

SPEECH OF

### HON. CHET EDWARDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, January 9, 2009*

Mr. EDWARDS of Texas. Mr. Speaker, the Paycheck Fairness Act is about far more than the size of a paycheck. It is about our commitment to the American values of hard work and equality of opportunity.

The story of America is our never-ending march toward the highest ideals of equal opportunity for all our citizens.

Today, we write a new chapter in that great American story. Today, we say to women and young girls all across our land, that if you work hard and play by the rules, you will be rewarded fairly. You will reap what you sow.

From our founding days, that promise has motivated parents to work hard to improve the lives of their families and the future for their children. It has inspired generations of immigrants to leave their homelands to make America their home.

Fulfilling the promise of equal opportunity for American women will lift millions of our families and children out of poverty. That's not just progress for their families; it is real progress for the American family. And, by fairly rewarding the hard work of America's women, we make our Nation more competitive in the world economy.

Some will say this step forward will be inconvenient. I say that knocking down barriers to equality of opportunity has never been the convenient thing to do, but it has always been the right thing to do.

My wife and I try to teach our two young sons every day that if they will work hard, they will do well in life—that their work will be rewarded fairly.

I am supporting this bill, because I want the parents of every little girl in America to be able

to teach that value, to make that promise to their daughters. It is the promise of America.

#### INTRODUCTION OF WORKER RELIEF LEGISLATION

### HON. JOHN M. McHUGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Mr. McHUGH. Madam Speaker, on January 6, 2009, I introduced three measures that are designed to provide relief to millions of unemployed American workers. These proposals are H.R. 155, the Suspension of Federal Income Tax on Unemployment Benefits Act of 2009; H.R. 154, the Workers Severance Tax Reduction Act of 2009; and H.R. 153, the Worker Savings Account Act of 2009.

From December 2007 to December 2008, the national unemployment rate has risen from 4.9 percent to 7.2 percent and 2.6 million jobs have been lost. In fact, from November 2007 to November 2008, the number of those seeking work has risen in 49 States and the District of Columbia, including New York, which has seen its rate increase from 4.6 percent to 6.1 percent during that time. As of November 2008, in New York's 23rd Congressional District, which I have the privilege of representing, 9 of my 11 constituent counties had unemployment rates that significantly exceed the national rate. With my support, the 110th Congress enacted legislation (P.L. 110-252 and P.L. 110-449) to provide up to an additional 20 weeks of unemployment benefits to workers who have exhausted their 26 weeks of regular benefits. However, there is more we can and should do to help those without a job.

In the first instance, we should enact H.R. 155, the Suspension of Federal Income Tax on Unemployment Benefits Act of 2009. Many Americans are unaware that they must pay Federal income taxes on any unemployment compensation benefits they might receive. This has not always been the case; between 1979 and 1986, those payments were excluded from Federal income taxes. It is time to once more provide this relief to unemployed Americans, which could provide up to \$117 in additional income to the average beneficiary. In this manner, Congress can both help those individuals who are most in need and inject billions of dollars into the economy through paid rents, mortgages, utilities, groceries, and other necessities.

We should also enact H.R. 154, the Workers Severance Tax Reduction Act of 2009, which would allow laid-off workers to exclude up to \$40,000 from any severance pay, provided that it is less than \$150,000 and is received between December 31, 2007, and December 31, 2010. Studies have indicated that roughly 60 percent of businesses offer their employees some kind of severance pay. While these totals can vary from business to business, in many cases it is remitted as a lump sum. Unfortunately for many workers, the IRS takes a substantial bite out of these benefits. Specifically, under current law, severance pay is treated as regular income, thus often driving people into higher tax brackets at the very time they are losing their jobs.

From the start of the current economic slump in December 2007 through November 2008, there have been 20,712 mass layoffs in-

volving nearly a quarter of a million Americans. While not all of them received severance pay, those who did needed all those monies to better support their families, go back to school, or otherwise find a new job or career. Congress can and should help these citizens during this difficult time by allowing them to retain more of these much-needed monies.

Finally, to help Americans enhance their personal safety nets, Congress should enact H.R. 153, the Worker Savings Account Act of 2009. This measure would allow people to establish Worker Savings Accounts (WSAs) to supplement the benefits they might otherwise receive while unemployed.

Like traditional Individual Retirement Accounts (IRAs), WSAs would have an annual contribution limit of \$5,000, indexed to inflation. However, employers would be able to provide matching contributions of up to \$5,000 annually. Contributions to WSAs would be permitted until the account owner actually elects to take Social Security retirement benefits. At that time, WSA account holders could choose to rollover their WSA funds into a 401(k) or IRA; alternatively, the WSA funds could be withdrawn without penalty but subject to taxation. Prior to a WSA account owner's decision to take Social Security payments, WSA funds could be withdrawn without penalty and tax-free as long as employment was lost through no fault of the worker or they had become disabled.

To encourage lower-income Americans to take advantage of the opportunity to contribute to this benefit, the Worker Savings Account Act would provide a refundable tax credit of up to \$1,000 for eligible individuals. This tax credit would be indexed to inflation and recipients could receive up to \$5,000 over the course of their career.

Madam Speaker, by enacting the three bills described above, the 111th Congress can help millions of unemployed Americans. Accordingly, I ask my colleagues to work with me to enact these important measures.

#### HONORING CADET COLONEL ROBERT J. WILSON

### HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Mr. WOLF. Madam Speaker, it is my privilege to honor my constituent, Cadet Colonel Robert Wilson of Chantilly, Virginia, for his remarkable achievements as a member of the Civil Air Patrol. At a Pentagon presentation and award ceremony on January 5, Cadet Wilson was presented with the General Carl A. Spaatz Award. The Spaatz Award is the Civil Air Patrol's highest cadet honor, presented to cadets who demonstrate extraordinary leadership, character, fitness, and aerospace knowledge.

For every 1,000 cadets, only 2 achieve this distinct honor. Robert first joined the Civil Air Patrol in January 2004 where he served with distinction in the Fairfax Composite Squadron of the National Capital Wing. Upon graduation from high school, he chose to attend Embry-Riddle Aeronautical University in Prescott, Arizona, to obtain his bachelor's degree in aerospace engineering.

Robert joined the Air Force Reserve Officers' Training Corps and is a member of the Arnold Air Society. He plans to continue his education and training to be of service as a U.S. Air Force test pilot. On December 18, 2008, Robert successfully completed the Carl A. Spaatz Exam, the final stage of a long and grueling journey through 16 rigorous skill tests. Having overcome this final obstacle, he now joins the ranks of the Civil Air Patrol's best and brightest as a recipient of the General Carl A. Spaatz Award for outstanding cadets.

HONORING MARK THORNTON

### HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Mr. RADANOVICH. Madam Speaker, I rise today to congratulate Mark Thornton upon his retirement as Tuolumne County Supervisor, District IV. Supervisor Thornton was honored by the Tuolumne County Board of Supervisors during a regularly scheduled board of supervisors meeting held on December 16, 2008.

Mark Thornton moved to Tuolumne County in 1976 after earning his bachelor's of arts degree in sociology from California State University, Fullerton. He spent many years as a historian and consultant, working with local, State and Federal agencies on various projects. He was an active participant in the public arena and served in several leadership positions including the Groveland Community Service District Board of Directors from 1979 through November 1983; Tuolumne County Historic Preservation Review Commission from September 1990 through January 1997; Tuolumne County Blue Ribbon Growth Management Committee from 1993 through 1995; Oak Grove Cemetery District from May 1995 through January 1997. In 1996 Mr. Thornton decided to run for a seat on the Tuolumne County Board of Supervisors to represent District IV. His election was a close one; he beat the incumbent by less than 10 votes.

Over the last 12 years as a supervisor, Mr. Thornton has worked tirelessly to protect the rural quality of life in his district while allowing for cautious expansion. His passion has been the protection of the county's historic and cultural resources. Some of his biggest impacts have been in the areas of transportation, health care and airport and land use planning. He has supported economic growth by gaining an improved coach ordinance, providing an open forum for discussing the building permit process and encouraging reasonable changes to the county's long standing agricultural guidelines. In Supervisor Thornton's most recent term he was a strong advocate for the expansion of the telecommunication infrastructure in Tuolumne County.

Madam Speaker, I rise today to commend and congratulate Supervisor Mark Thornton upon his retirement from the Tuolumne County Board of Supervisors. I invite my colleagues to join me in wishing Supervisor Thornton many years of continued success.

TRIBUTE TO KAREN RICE, ASSISTANT IDAHO FALLS DISTRICT MANAGER, BLM

### HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Mr. SIMPSON. Madam Speaker, I rise today to honor an exceptional public land manager in my district, Karen Rice, the Assistant Idaho Falls District Manager of the Bureau of Land Management, who is being recognized this week as the Public Lands Foundation's Outstanding Public Lands Professional Technician for 2008.

Now in its 20th year, the Public Lands Foundation award is an important recognition for special achievement by professional public land technicians and managers. The Public Lands Foundation is the only national membership organization dedicated solely to the protection and perpetuation of the National System of Public Lands under the administration of the BLM. It is a national nonprofit conservation organization whose members are primarily active and retired BLM employees.

As a member of that organization, Ms. Rice has worked hard for over 10 years on projects that protect wildlife habitat and promote responsible recreational activities along the South Fork of the Snake River and in the Henry's Lake Area of Critical Environmental Concern.

I am honored to take part in recognizing Ms. Rice today. I commend her for her tremendous efforts and dedication to such a crucial and worthwhile effort. Her efforts are paving the way for a more beautiful state and a more conservation-minded world.

#### PERSONAL EXPLANATION

### HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Ms. GRANGER. Madam Speaker, on rollcall Nos. 8 and 9 I was absent from the House on official district business. Had I been present, I would have voted "no."

#### REPORT ON THE IMPERIAL PRESIDENCY OF GEORGE W. BUSH

### HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Mr. CONYERS. Madam Speaker, today I have received a report prepared by the majority staff of the House Judiciary Committee, Committee, detailing numerous abuses by the Bush administration over the past 8 years, and recommending a number of steps to restore an appropriate Constitutional balance of power between the executive and legislative branches.

The report, based largely on oversight activities of the Judiciary Committee, and other committees, over the course of the 110th Congress, is titled "Reining in the Imperial Presidency: Lessons and Recommendations Relating to the Presidency of George W. Bush."

Issues examined include: The politicization of the Department of Justice; assaults on individual liberty, including extreme interrogation, extraordinary rendition, and warrantless wiretapping of U.S. citizens; the misuse of executive branch regulatory authority and Presidential signing statements; misleading manipulation of pre-Iraq War intelligence; improper retaliation against Administration critics; and excessive secrecy, including non-compliance with congressional oversight.

The report examines how the Bush Administration's legal approach to presidential power has eroded the Constitutional system of checks and balances designed by the Framers to preserve our liberty. It also recommends specific steps that this Congress and the incoming Obama administration should take to restore those checks and balances.

I am having the report posted to the Judiciary Committee Web site, in order to make it available to other members of the committee, to the full House, and to the American public.

I believe this report will be of tremendous benefit helping inform the changes we must make going forward—to repair the damage to our democracy, and to prevent similar abuses from occurring in the future.

#### PERSONAL EXPLANATION

### HON. BRIAN BAIRD

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Mr. BAIRD. Madam Speaker, unfortunately, due to record flooding in my congressional district and across Washington State, I was unable to be present on January 9, 2009 for votes. I take my voting responsibility very seriously. Had I been present, I would have voted "yea" on final passage of H.R. 11, the Lilly Ledbetter Fair Pay Act. I would also have voted "aye" on final passage of H.R. 12, the Paycheck Fairness Act. I am an original co-sponsor of both bills, voted for their passage in the 110th Congress, and have been a strong and consistent supporter of legislation to end gender-based wage discrimination. I strongly oppose all forms of discrimination and believe that we must act to restore the right for women to challenge wage discrimination.

I was also not able to cast a vote on H. Res. 34, Recognizing Israel's right to defend itself against attacks from Gaza, reaffirming the United States strong support for Israel, and supporting the Israeli-Palestinian peace process. I have traveled to the region and met the families and individuals who are affected by the cycle of violence that continues to claim lives and wreak havoc on all sides of this conflict. As we continue to witness the humanitarian crisis spiral out of control in Gaza, and while rocket attacks persist against Israel, we are reminded that it is imperative for the United States to play a constructive role in pursuing a legitimate peace process that provides security and stability to the many innocent people trapped in the midst of this untenable status quo. Therefore, I would have voted present on this resolution.

CONGRATULATING SISTER ADRIAN BARRETT FOR A LIFETIME OF SERVICE TO THOSE IN NEED AND EXTENDING TO HER BEST WISHES FOR A WELL DESERVED RETIREMENT

**HON. PAUL E. KANJORSKI**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Mr. KANJORSKI. Madam Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to Sister Adrian Barrett, IHM, an extraordinary woman whose capacity for caring for the poor is exceeded only by her selflessness and humility.

Sister Adrian's remarkable career of service began in 1949 when she became a sister of the Congregation of the Immaculate Heart of Mary.

After her early years teaching at schools in Pennsylvania, Maryland, and New York and working summers in Scranton ministering to poor children, Sister Adrian and an old acquaintance, Monsignor Joseph P. Kelly, created Project Hope, a summer camp for underprivileged youths, first at Pius X Seminary at Dalton and later at Camp St. Andrew in Tunkhannock.

Sister Adrian returned to Scranton permanently in 1976 to work full time with low income families at United Neighborhood Center's Progressive Center. She developed an annual Thanksgiving Dinner for the needy of the community, at first with 24 guests, now with more than 2,000.

In 1985, she established Friends of the Poor with the stated objective of bringing together "those who can give with those who have a need to receive."

Over the years, Sister Adrian has become a hero in the Scranton area, providing food, clothing, furniture and healthcare education and assistance to those in need and sponsoring an annual educational trip to Washington, DC, for underprivileged children.

Mrs. Mary Lou Burne, one who has worked with and knows Sister Adrian well, observed recently that "She's the heart of the poor in Scranton. She feels what they feel. She cries when they cry."

Retired local banking executive David Tressler, who has done volunteer work with Sister Adrian for more than 25 years, said she inspires with her unflagging, round-the-clock commitment to the poor and is not bashful about asking those with means to assist those without.

"She is a unique individual," Mr. Tressler said. "She has time for anybody and everybody."

Now, as she approaches the age of 80, she has decided it is time to retire and hand her incredible work to a successor, Sister Maryalice Jacquinet, IHM.

Sister Adrian once observed that the highest compliment anyone could pay her is to acknowledge that she tried to love and serve the poor and, in so doing, loved and served God.

Madam Speaker, please join me in congratulating Sister Adrian Barrett who truly has loved and served the poor and, in so doing, has improved the quality of life for countless souls and has inspired all of us to a heightened awareness of our calling to help our fellow man.

IN HONOR OF THE SOUTH COBB HIGH SCHOOL BLUE EAGLE MARCHING BAND

**HON. DAVID SCOTT**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Mr. SCOTT of Georgia. Madam Speaker, I rise today to congratulate and honor members of the South Cobb High School Blue Eagle Marching Band. Under the direction of Band Director Zachary Cogdill and with the support of Principal Dr. Grant Rivera, the faculty and students at South Cobb High School, these students were chosen to represent the great State of Georgia during the 56th Presidential Inaugural Parade next Tuesday. I am immensely proud of their dedication and diligent preparation for this occasion, as President-Elect Barack Obama is sworn in as the 44th President. Madam Speaker, I would like to submit for the record a copy of the official letter I submitted to the Armed Forces Inaugural Committee recommending South Cobb High School for participation in the parade:

To Members of the Committee:

I would like to recommend the South Cobb High School Blue Eagle Marching Band for participation in the 2009 Presidential Inaugural Parade.

South Cobb's marching band continues a long tradition of exemplary musical groups at the school. Under the outstanding leadership of Mr. Zachary Cogdill, the marching band program has increased to 60 students. This year, the Blue Eagle Marching Band has won 11 trophies at two competitions, including Best in Class and Grand Champion in Class.

This band also features a young man who suffers from leukodystrophy—a rare, progressive genetic disorder that affects the nervous system. Although he cannot march, he walks in front of the band and plays a single drum-beat throughout the band's entire performance. His special role is the basis for the band's theme—"Heartbeat."

Lastly, most students have never been to Washington, DC and this would be an excellent for them to visit our Nation's Capital. I look forward to meeting members of the marching band should they be selected for your events. I know they certainly have earned the opportunity to perform, and hope you will feel the same.

Again, I encourage you to grant the South Cobb High School Blue Eagle Marching Band the opportunity to perform in January. Thank you for your consideration.

Sincerely,

DAVID SCOTT

Member of Congress

This fall, the Blue Eagle Marching Band won 11 trophies at two competitions, including Best in Class and Grand Champion in Class. They also performed at the Georgia Dome in Downtown Atlanta. With the support of the Atlanta community, the high school was able to raise \$70,000 in five days for their trip. I am thankful for the generosity of my hometown and each individual who supported our students, financially and otherwise.

On Friday night, the Blue Eagle Marching Band will depart Austell, Georgia for Washington, DC. For many, this will be a first visit to our Nation's Capital. I wish them a safe journey and congratulations on this out-

standing achievement. I am honored to represent such talented constituents.

TRANS-ATLANTIC LEGISLATORS' DIALOGUE HOLDS 65TH MEETING UNDER LEADERSHIP OF THE HON. SHELLEY BERKLEY

**HON. HOWARD L. BERMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Mr. BERMAN. Madam Speaker, I would like to call the attention of my colleagues in the Congress to a successful meeting of the Transatlantic Legislators' Dialogue, TLD, that was held in Miami, FL from December 6–8, 2008. Chairwoman SHELLEY BERKLEY, the gentlelady from Nevada, has consistently provided dynamic and capable guidance to this important interparliamentary exchange. The TLD vice-chairmen, Representative JIM COSTA from California and Representative CLIFF STEARNS from Florida, should be commended for their leadership in helping to strengthen American relationships with our European colleagues. I also wish to thank the ranking member of the Foreign Affairs Committee, Representative ILEANA ROS-LEHTINEN, for being a gracious hostess of this meeting in her sunny district and ably assisting the delegation.

Representatives BERKLEY, COSTA and STEARNS were joined by six other members at the Miami session. This bipartisan delegation—which also included Representative SHEILA JACKSON-LEE (D–TX), Representative LORETTA SANCHEZ (D–CA), Representative SUSAN DAVIS (D–CA), Representative PHIL GINGREY (R–GA), Representative VIRGINIA FOXX (R–NC), and Representative RON KLEIN (D–FL)—ensured an informed and productive exchange of views with members of the European Parliament.

The TLD serves as the formal response of the European Parliament and the U.S. Congress to the commitment in the New Transatlantic Agenda, NTA, of 1995 to enhance legislative ties between the European Union and the United States. Building on the existing interparliamentary relationship, the TLD involves bi-annual meetings between American and European legislators in order to discuss topics of mutual interest and foster transatlantic discourse.

During this time of transition in the United States Government, it is particularly important that legislators continue to collaborate on the many important issues facing citizens on both sides of the Atlantic. The TLD discussions in Miami addressed a wide range of foreign policy challenges, focusing on the recent terrorist attacks in Mumbai as well as international efforts to address the ongoing challenges in Afghanistan and Pakistan. Members also discussed the current status of diplomatic initiatives regarding the Iranian nuclear threat and the repercussions of the Georgia-Russia conflict. American members responded to European concerns about data protection and the complexity of application procedures as part of the visa waiver program. During the discussion of regulatory initiatives being undertaken by the Transatlantic Economic Council, TEC, American members encouraged their European counterparts to address the EU ban on

the import of American poultry as well as discriminatory regulations on chemicals used to manufacture cosmetics—both of which have detrimental effects on American farmers and producers. In addition, the delegates discussed the challenge of climate change, the importance of energy security, and joint efforts needed to address the global financial crisis.

Madam Speaker, I would like to enter into the CONGRESSIONAL RECORD the joint statement that was agreed upon by American and European legislators at the 65th TLD meeting in Miami. This document demonstrates the depth and breadth of the interparliamentary discussions while also highlighting the scope of excellent transatlantic cooperation.

JOINT STATEMENT OF JONATHAN EVANS, MEP, CHAIRMAN, EUROPEAN PARLIAMENT DELEGATION; SHELLEY BERKLEY, CHAIRWOMAN, UNITED STATES CONGRESS DELEGATION; CLIFF STEARNS, VICE CHAIRMAN (RANKING REPUBLICAN), UNITED STATES CONGRESS DELEGATION; AND JIM COSTA, VICE CHAIRMAN, UNITED STATES CONGRESS DELEGATION AT THE 65TH MEETING OF DELEGATIONS FROM THE EUROPEAN PARLIAMENT AND THE UNITED STATES CONGRESS, DECEMBER 2008

We, Members of the European Parliament and the United States House of Representatives, held our 65th Interparliamentary meeting (Transatlantic Legislators' Dialogue) in Miami, Florida on 6-8 December 2008.

Building on the joint statement issued after our last meeting in Ljubljana, Slovenia, on 24-26 May 2008, we reiterated the importance of regular dialogue on a range of political, social and economic issues that affect all of our citizens. We welcomed the new U.S. administration and look forward to the election of a new European Parliament and European Commission next summer. We discussed ways in which to utilize this time of political change on both sides of the Atlantic to further enhance our transatlantic relations and deepen our cooperation. We confirmed that legislators on both sides of the Atlantic should increase dialogue and consultation amongst themselves in order to prevent possible conflicts in the legislative and regulatory regimes. In particular, direct and timely contacts between specialist committees within our legislatures have been valuable means of reinforcing cooperation and should be continued. We agreed to report back to the European Parliament and U.S. Congress on the content and outcome of our discussions, particularly in the areas where joint efforts are likely to result in positive outcomes.

We examined a wide array of foreign policy issues, agreeing that joint action by the European Union and the United States is the most effective way to approach many pressing international challenges. We welcomed the results of the EU-U.S. summit in Brdo, Slovenia in June 2008 and stressed the importance of the principles contained in the final declaration. In particular, we agreed that both sides should continue to demonstrate global leadership and effective transatlantic cooperation in the face of challenges such as:

Promoting international peace, stability, democracy, human rights, international criminal justice, sustainable development, the rule of law and good governance; and

Fighting terrorism while protecting the fundamental freedoms on which our democratic societies are built.

We discussed the recent terrorist attack in Mumbai, India, expressing our condolences to the families of those who lost their lives and condemning the attacks. We called on the governments of India and Pakistan to cooperate in reducing tensions in the region,

called on the government of Pakistan to participate fully in the investigation, and asked the U.S. and EU to assist in these efforts.

On Afghanistan, we recognized the need for a joint long-term strategy aimed at stabilizing the internal situation and reducing risks for regional security. We welcomed the EU's decision to expand its EUPOL police training mission from 250 to 400 personnel.

On Iran, we assessed the continuing nuclear threat. We pledged to continue our cooperative efforts to confront this challenge with a unified voice, using the dual track of diplomacy and strong sanctions. We called on transatlantic partners to continue to press Iran to comply with its UN Security Council obligations and, if needed, to move forward with additional sanctions to complement UN measures.

We assessed the August conflict between Russia and Georgia. While recognizing the importance of continuing to engage in dialogue with Russia about shared concerns, we emphasized that we cannot return to 'business as usual' while Russia continues to violate the ceasefire agreement. We stressed that Russia must implement its commitments on withdrawal of its military to pre-conflict positions and allow access by international civilian monitors to all areas in South Ossetia. We reaffirmed our continuing support for the Georgian people and our commitment to aid the country's post-conflict reconstruction. We also expressed concern about the ongoing developments in Russia's domestic and foreign policies, including provocative statements regarding missile deployment to Kaliningrad as well as about the reliability of energy deliveries to Russia's European neighbors and partners.

The TLD welcomed the recent admission of the Czech Republic, Estonia, Hungary, Latvia, Lithuania and Slovakia to the U.S. Visa Waiver Program. We expressed our hope that the remaining EU Member States will be eligible to join soon and that the U.S. State Department will review its administrative procedures to determine whether the visa application process can be simplified. We also discussed the importance of ensuring safe trade as well as joint efforts to combat terrorism and transnational crime. We called for the timely sharing of information among our law enforcement and intelligence agencies, emphasizing the importance of protecting individual privacy and personal data.

We stressed the positive impact and symbolic importance that would result from an early visit and address to the European Parliament by U.S. President-elect Barack Obama.

We agreed on the need for continued discussion of possible joint actions to address the effects of climate change. We also called for increasing attention to the need for energy security through the diversification of energy sources. We discussed the United Nations Climate Change Conference in Copenhagen, scheduled for the end of 2009, and expressed hope that a viable and effective global agreement will be reached.

Our dialogue focused on the financial crisis, particularly the ways in which it has affected the housing market, banking sector, employment and industries in Europe and the United States. We expressed support for continued cooperation between our governments in seeking to find collaborative solutions to these problems, including through the recent G-20 gathering and follow-up meetings. We took stock of the initiatives dealing with global financial instability, such as the European Economic Recovery Plan and the U.S.'s Emergency Stabilization Act of 2008.

With regard to the Transatlantic Economic Council (TEC), we noted with satisfaction the engagement of the TLD on 13 May 2008

with TEC Co-Chairs Gunther Verheugen and Dan Price in the framework of the advisory groups. We welcome the TEC as a permanent feature of the EU/U.S. relations. We look forward to engaging with the TEC at the next meeting on December 12, which will have particular importance as the last session before the change in administrations. We called on the incoming Obama Administration to take careful note of the TEC outcomes and to pledge its commitment to continuing to engage with the European Union through this important mechanism.

We welcomed the progress that has been achieved since the TEC's last meeting. We strongly supported the agreement to recognize each others' accounting standards (U.S. GAAP and EU IFRS), which will save multinational companies on both sides of the Atlantic billions of dollars in compliance costs. We applauded the joint statement committing to openness in foreign investment, greater cooperation on the enforcement of intellectual property rights (IPR), and efforts to harmonize biofuels standards. We advocated stronger involvement of legislators in contributing to and overseeing these initiatives since many of these issues involve important interests for stakeholders, such as securities regulatory regimes and the creation of a level playing field for insurance/reinsurance. A wide range of issues are also under consideration in the High Level Regulatory Forum (HLRF) and legislators should be informed in a timely manner about the results of their activities.

Several items have been identified within the TEC agenda that still require legislative consideration:

While achieving reciprocity and mutual recognition of security standards remains critically important, we continued to raise concerns about the U.S. Safe Ports Act and its 100 percent cargo scanning requirement;

We reiterated the need to facilitate a solution to the ban on imports into the EU of U.S. poultry which has undergone pathogen reduction treatment, consistent with international commitments; and

Regarding the EU's regulation on the registration of chemicals (REACH), we continued to call on the European Commission to bring forward legislation ensuring that European and U.S. producers of cosmetics are treated equitably in their requirement to register substances used in their products with the EU's chemical agency.

As we have done throughout the establishment and initial meetings of the TEC, we continued to assert that the TEC initiative should be characterized by transparency and consultation of stakeholders and we called on both Administrations to reinforce the flow of information to the TLD in advance of the TEC meetings. The relevant legislative and regulatory bodies should be aware of the transatlantic impact of proposed legislation and regulations, and understand the benefits of rapid advancements towards a barrier-free regulatory environment. A more formal role should be envisaged within TEC for the U.S. Congress and the European Parliament, in particular via TLD, so as to allow for detailed and accountable reporting of TEC results to legislators.

In conclusion, both sides renewed their commitment to make the TLD's work more relevant to the European Parliament and to the U.S. House of Representatives. Amidst a climate of transition on both sides of the Atlantic, we reaffirmed the importance of continuing to strengthen and improve our dialogue in order to realize the full potential of our interparliamentary relationship.

INTRODUCTION OF THE  
WAKEFIELD ACT**HON. JIM MATHESON**

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Mr. MATHESON. Madam Speaker, I rise to introduce the Wakefield Act, which reauthorizes the Emergency Medical Services for Children Program.

It is the only Federal program that focuses on saving the lives and health of children needing emergency medical treatment.

This year is the program's 25th anniversary and I am proud to be the lead sponsor along with Representative PETER KING.

Unfortunately, millions of kids find themselves in our Nation's emergency rooms every year. Thanks to the Wakefield Act, doctors, nurses, and first-responders now have much greater knowledge about what works and what doesn't work, when these small patients come through the emergency room door.

Since the program began, child injury death rates have dropped 40 percent. The research that resulted from this legislation helped establish pediatric emergency medicine as its own specialty. Data collection and training seminars—including from the Emergency Medical Services for Children Data Analysis Center based in my district at the University of Utah—have been provided to thousands of medical personnel.

The program's authorization expired in September 2005. In the summer of 2006, the Institutes of Medicine released a report which documented the value of the program. It also noted the gaps that remain in providing quality emergency care for children. There is a serious gap between the percentage of kids who end up in the ER and the percentage of emergency rooms that are staffed, trained, and equipped to respond appropriately. The report's bottom line—this program is "well positioned to assume a leadership role" in closing the gap.

It's endorsed by over 50 organizations, including the American Academy of Pediatrics and the American College of Emergency Physicians.

Madam Speaker, this legislation enhances the program by authorizing the funding needed to ensure that progress continues in this specialty. I look forward to working with my colleagues toward its adoption.

## A TRIBUTE TO HOWARD WEAVER

**HON. DORIS O. MATSUI**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Ms. MATSUI. Madam Speaker, I rise today in recognition of Howard Weaver's 40 years of service and journalistic integrity in the newspaper business. Mr. Weaver is retiring from the McClatchy Company leaving a lasting legacy in Sacramento where his leadership and expertise will be deeply missed. I ask all my colleagues to join me in honoring one of our Nation's finest journalists.

After earning his bachelor's degree in social and behavioral sciences from Johns Hopkins University and his masters in philosophy from

Cambridge, Mr. Weaver has spent more than three decades in the newspaper industry. He began his career in 1972 as a reporter for the Anchorage Daily News. In 1977 he founded the Alaska Advocate, a statewide weekly newspaper. After the closure of the Alaska Advocate in 1979, Mr. Weaver returned to the Daily News as an editorial writer. He was named managing editor in 1981 and assumed full editorial responsibility in May 1983.

During his tenure at the Anchorage Daily News, the newspaper won numerous awards including being named one of the world's 25 best designed newspapers, best sports section, and best feature writing. Mr. Weaver twice led the Anchorage Daily News to win Pulitzer Prizes. He was one of three reporters whose coverage of the Alaska Teamsters Union during construction of the trans-Alaska pipeline, "Empire: The Alaska Teamsters Story," won the Pulitzer Prize Gold Medal for Public Service in 1976. In 1989 he again was awarded prize for his work as editor and a lead writer on the Daily News' "A People in Peril," coverage of alcoholism and suicide among Alaska Natives and has served as a Pulitzer Prize juror at the invitation of the Pulitzer Board four times. Mr. Weaver is the past president of the Alaska Newspaper Association and the Upper Yukon River Press Club and was a Distinguished Lecturer in Journalism at the University of Alaska, Fairbanks.

In 1995 Mr. Weaver moved to Sacramento to assume the position of assistant to the president for new media strategies at McClatchy Newspapers and was named editor of the editorial pages for the Sacramento Bee in 1997. Most recently he served as vice president of news and is senior editorial executive for the McClatchy Company. In addition, his writings have been published in the New York Times, the Washington Post, and Time Magazine. While at McClatchy Newspapers, which publishes 31 daily and more than 50 community newspapers and related Web sites, the editorial pages in the Sacramento Bee were named best in California by the California Newspaper Publishers Association and individual editorials won the Best of the West competition. Mr. Weaver was primarily responsible for the opinion content at the Sacramento Bee and for many years he chaired the editorial board meetings at which the paper's editorial positions were decided. His excellent writing and years of expertise has ensured that Sacramento's residents continue to receive up-to-date accurate information about pressing issues in our communities and across the Nation.

Madam Speaker, I am honored to pay tribute to Howard Weaver's distinguished commitment to the newspaper industry and keeping Sacramento's residents informed. Mr. Weaver's outstanding leadership and dedication to journalism has allowed the McClatchy Company and the Sacramento Bee to embrace new venues of media and the Internet. As Mr. Weaver's wife, Barbara, colleagues, family, and friends gather to honor his career, I ask all my colleagues to join me in wishing him continued good fortune in his future endeavors.

RECOGNIZING WALTER DIAS FOR  
HIS COMMUNITY SERVICE ON  
GUAM**HON. MADELEINE Z. BORDALLO**

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Ms. BORDALLO. Madam Speaker, I rise today to recognize Walter Dias for his civic involvement and community service on Guam. Walter Dias, known to his family, friends, neighbors and coworkers, as "Wally," has resided on Guam over the past 15 years and been active in our non-profit community. Wally was recently promoted by his employer, Continental Airlines, and is relocating to Hong Kong to assume the position of Managing Director of Greater China and Southeast Asia.

Wally is the eldest of five sons and two daughters of Walter Sr., and Virginia Dias. He grew up in a small town in the resort area of the Pocono Mountains in Pennsylvania and earned a Bachelor's of Science degree in Accounting from Pennsylvania State University before beginning his career at Price Waterhouse and later at Geo Source Inc. In 1987, Wally started his airline career in the finance division of Continental Airlines, and in 1993, he moved from its corporate headquarters in Houston to Guam to serve as the Director of Marketing for Continental Micronesia. Wally was later promoted to Vice President of Sales and Marketing, a position through which his involvement with our non-profit community on Guam grew.

Wally promoted travel to the Pacific islands of Micronesia through a "Warmth of Paradise" campaign that he developed while at Continental Micronesia. Through this campaign, the cultures of the Pacific islands, including of the Chamorro people of the Marianas, is showcased. Wally also sought to foster greater relations between the civilian and military community on Guam, and to support education initiatives focusing on Guam's military history. When Guam celebrated its 50th Annual Liberation Day in honor of the island's liberation from Imperial Japanese Forces in 1944, Wally helped coordinate the travel of more than 2,000 liberators to Guam for this special event. Wally also worked with the Military Historical Tours to fly veterans from the Battle of Iwo Jima for the battle's 50th anniversary commemorative program.

His work in our community extended beyond those of us who call Guam home. Wally helped coordinate the transportation of 2,000 Kurdish refugees from Iraq to Guam, and later from Guam into the mainland of the United States for settlement, in 1996. He was instrumental in the founding of the Ayuda Foundation, a humanitarian organization that has helped thousands of people from the Micronesian islands access medical supplies and health care. Wally also helped establish the Wings for Life One Pass medical account program. To this day, the program has helped transport more than a hundred patients to receive proper medical treatment. These are lasting examples of Wally's efforts on behalf of our community on Guam and the greater Micronesia region.

It is on the occasion of his promotion and relocation to Hong Kong, that the people of Guam recognize him for his community service and his leadership in helping to develop our visitor industry.

HONORING MACE MCINTOSH

**HON. GEORGE RADANOVICH**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Mr. RADANOVICH. Madam Speaker, I rise today to congratulate Mace McIntosh upon his retirement as the Sonora Chief of Police. Chief McIntosh will officially retire on December 30, 2008 and will be honored on January 3 at a retirement dinner.

Mr. McIntosh was born and raised in Tehama County, California to John and Donna Lee McIntosh. He was raised on his family's cattle ranch. In 1978, he was hired by Red Bluff Police Department in Tehama County. He worked patrol, investigations and all traffic related issues. He was promoted to Sergeant in 1992 and promoted to Commander in 1995. He served as the interim Chief for the Red Bluff Police Department from September 2000 to October 2001. From there he served at the rank of Captain until his appointment as Chief of Police with the city of Sonora in June 2004.

The Sonora Police Department is a full-service, community policing organization that includes 25 sworn and non-sworn staff. They also have 5 reserve police officers, a 12 member senior volunteer program and 14 active explorers. Chief McIntosh has implemented a new program that has helped his team cover the city more efficiently. He developed the Community Oriented Policing and Problem Solving program; the city is divided into two "Areas of Responsibility" with a Patrol Sergeant for each of the two areas. The Sergeants are responsible for any problems that might occur within their Area of Responsibility.

Outside of the police department, Chief McIntosh has always been involved with the community. He has been a member of the Elks Club of Red Bluff for over 30 years. He also served on the Plum Valley School District Board for 12 years and the Tehama County Board of Education for 14 years; he served as Board President for each organization twice. He is the Past President of Tehama County Peace Officers Association and the Tehama County Police Activities League. He was also a member of the Tehama County Mentoring Committee.

Madam Speaker, I rise today to commend and congratulate Chief Mace McIntosh upon his retirement from the Sonora Police Department. I invite my colleagues to join me in wishing Chief McIntosh many years of continued success.

## PERSONAL EXPLANATION

**HON. KAY GRANGER**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Ms. GRANGER, Madam Speaker, on rollcall No.'s 7 and 10 I was absent from the House on official District business.

Had I been present, I would have voted "yea."

CONGRATULATING JOE MADDON FOR HIS ACHIEVEMENTS IN PROFESSIONAL BASEBALL AND FOR HIS SUPPORT IN HELPING RESTORE THE HAZLETON "CASTLE" AUDITORIUM

**HON. PAUL E. KANJORSKI**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Mr. KANJORSKI. Madam Speaker, I rise today to pay tribute to Joe Maddon, from Hazleton, Pennsylvania, the manager of the Tampa Bay Rays baseball team and a leader of a citizen effort to restore the auditorium of the former Hazleton High School, now an elementary and middle school that has, for more than 80 years, been a landmark in the Hazleton area that is fondly referred to as "The Castle."

Born in Hazleton in 1954, Mr. Maddon graduated from "The Castle" where he was a star athlete before moving on to graduate from Lafayette College in 1976 where he played baseball and football.

Mr. Maddon then went on to distinguish himself in the world of professional baseball for more than three decades, first with the California/Anaheim Angels and, since 2006, with the Tampa Bay Rays, a team which he led to the 2008 World Series that was won by the Philadelphia Phillies.

After the 2008 season, Mr. Maddon was named the American League Manager of the Year.

During his remarkable career, Mr. Maddon has won accolades from *Sports Illustrated*, which described him as a "Renaissance man from down-to-earth roots." The *New York Times* described him as "one of baseball's more purely intelligent men in uniform." And the *Boston Globe* called Maddon "the genuine article . . . universally respected, intelligent, wordily, eloquent and well-read."

Mr. Maddon has been a leader in the Tampa Bay area in raising awareness to the plight faced by those who are homeless and has actively worked to feed and shelter the victims of homelessness.

Frequently praised as a man who has never forgotten his roots, Mr. Maddon has been committed to helping raise the funds necessary to renovate the auditorium of his former high school so that it can serve as a Community Arts Center.

Madam Speaker, please join me in congratulating Joe Maddon for his personal and charitable achievements and also for the positive attention he has brought to his hometown of Hazleton and all of northeastern Pennsylvania. Mr. Maddon's example is an inspiration for others to emulate especially our young people who can look to him as a true role model.

RECOGNIZING ISRAEL'S RIGHT TO DEFEND ITSELF AGAINST ATTACKS FROM GAZA

SPEECH OF

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Friday, January 9, 2009*

Mr. GRAVES. Madam Speaker, I wish to express my strong support for House Resolu-

tion 34, recognizing Israel's universal and sovereign right to defend itself from acts of war and aggression, and reaffirming the United States' strong support for Israel in our mutual fight against terrorism.

The cause of the present crisis is clear. Hamas, a terrorist organization committed to the destruction of Israel, has continually violated the territorial integrity of the State of Israel, a member of the United Nations, by launching thousands of rocket attacks from Gaza for the purpose of terrorizing and killing the citizens of Israel.

Hamas has received substantial support in its campaign of terror from other rogue nations, most notably Iran, which has provided Hamas with the material and expertise to conduct their rocket attacks.

In responding to these attacks, Israel is exercising its sovereign right to self defense, a legitimate right recognized by the international community.

Unfortunately, rather than lay the blame for this crisis where it belongs, with Hamas and its leadership, too many of our international allies have instead criticized Israel.

Blaming Israel for this present situation is akin to blaming the victim of a crime for the actions of a criminal. These criticisms of a sovereign state exercising its legitimate right to self defense will only embolden Hamas and terrorists everywhere.

House Resolution 34 recognizes that it is Hamas that is responsible for this present crisis and expresses our nation's solidarity with our friends and allies in Israel during their time of great danger. It is for this reason that I wish to express my strong support for House Resolution 34.

IN RECOGNITION OF THE RETIREMENT OF DR. JIMMY CHEEK

**HON. JEFF MILLER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Mr. MILLER of Florida. Madam Speaker, along with my friend Congressman ADAM PUTNAM, it is a great honor for me to rise today to recognize the retirement of Dr. Jimmy Cheek from the University of Florida's Institute of Food and Agricultural Sciences, IFAS. Since 1975, Dr. Cheek has been instrumental in agricultural education at the University of Florida, where he was a mentor of mine.

Jimmy Cheek's career with the University of Florida began as an assistant professor in the Department of Agricultural and Extension Education, and now, over 30 years later, he is retiring as a senior vice president for agriculture and natural resources. Through the course of his career, he served in a number of positions, but all of them were dedicated toward instilling an understanding of the importance of agriculture in his students. Dr. Cheek also received numerous awards and recognition not only for his dedication to teaching but also his vast knowledge of agriculture.

His leadership in the College of Agricultural and Life Sciences, CALS, as well as IFAS, helped expand the programs offered and the student enrollment, making CALS the fourth-largest college at UF. Dr. Cheek took an outstanding program and improved upon it even further as he oversaw the addition of new programs and research opportunities, and he has



been recognized for his efforts to this end. Some of the numerous awards bestowed upon him include the University of Florida Faculty Superior Accomplishment Award and the CALS Teacher of the Year. He has also been recognized by Who's Who in America, Who's Who in American Education, Who's Who Among American Teachers, and has received an honorary membership in Alpha Gamma Rho, of which I am a proud member.

Madam Speaker, there is no doubt in my mind that Dr. Cheek's legacy will be remembered for generations to come, not just by students at the University of Florida but also throughout the Nation where his work has been recognized. He dedicated his career to educating students not just about agriculture, but also character, and he will be fondly remembered by all who know him. Jimmy Cheek will be missed in the classrooms in Gainesville and around the State, but he leaves behind an institution that will continue to flourish because of his hard work. He and his family are in my thoughts as they move into the next chapter of his life.

HONORING NORTHERN STATE  
UNIVERSITY COACH DON MEYER

**HON. STEPHANIE HERSETH SANDLIN**

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Ms. HERSETH SANDLIN. Madam Speaker, recently, Don Meyer, head men's basketball coach at Northern State University in Aberdeen, from my State of South Dakota, coached his 903rd career victory. This accomplishment sets the national record for wins by a men's collegiate basketball coach.

Mr. Meyer started his coaching career in 1972 at Hamline University in Minnesota, turning an unsuccessful program into a championship contender. Moving to Lipscomb University in Tennessee, Mr. Meyer created a national powerhouse during his 24 years there—winning an NAIA national title in 1986 and averaging more than 32 wins per season over his final 10 years at the school.

Coming to Northern State in 1999, Mr. Meyer built another highly-successful program. His teams have won over 20 games each of the past 7 seasons, and reached the postseason 4 of the past 5 years.

Over this long career, Mr. Meyer has become nationally known as a teacher of both young men and other coaches. Thousands of coaches from all over the Nation have honed their craft at the Don Meyer Coaches Academy. His instructional books and DVDs have been used by college programs such as Duke and NBA teams such as the Utah Jazz. Of Mr. Meyer, Pat Summitt, the legendary University of Tennessee women's basketball coach, recently told Sports Illustrated, "(Meyer) is one of the most respected clinicians in the country. You can't sit there and not learn and be inspired."

Another inspiration that Mr. Meyer provides stems from the journey he finds himself on today. On September 5, 2008, while leading his team to a preseason retreat, Mr. Meyer was involved in a life-threatening auto accident. At the accident site, his players' quick thinking and poise saved Mr. Meyer's life. Team captain Kyle Schwan told Sports Illus-

trated about the accident, "It's a testament to Coach. In essence, he saved his own life because of the way he taught us."

His recovery has included eight surgeries, the amputation of part of his left leg, and intense pain. Adding to the medical challenge was the discovery of liver and intestine cancer during his emergency surgeries. But through it all, Mr. Meyer has maintained his drive and character, coaching games from the sidelines in a wheelchair. This season, he again has Northern State in championship contention, and remains a sought-after motivational speaker on basketball, coaching, and life itself.

Madam Speaker, it is with enduring pride and respect that I rise today in recognition of Don Meyer and his record-breaking achievement. This achievement is not only measured in the many victories achieved, but in the lives touched. Don Meyer has proven himself worthy to be counted among the best coaches our Nation has produced.

HONORING THE MEMORY OF  
LANCE CORPORAL JESSIE  
CASSADA OF HENDERSONVILLE,  
NORTH CAROLINA

**HON. HEATH SHULER**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Mr. SHULER. Madam Speaker, I rise today with a heavy heart to honor the memory of LCpl Jessie Adam Cassada of Hendersonville, NC. Cassada, only 19 years of age, was killed in combat during Operation Enduring Freedom in Afghanistan on the sixth of January, 2009. Lance Corporal Cassada gave the ultimate sacrifice to protect our country. He demonstrated patriotism and true courage beyond his years.

Since childhood, Jessie Cassada wanted to follow the example set by his stepfather and stepbrother to become a Marine. He joined the United States Marine Corps after graduating from East Henderson High School in 2007. He was deployed to Afghanistan from Camp Lejune for a 6- to 7-month tour of duty in November 2008 with the 3rd Battalion, 8th Marine Regiment, 2nd Marine Division. Official accounts said he was supporting combat operations in the Helmand province prior to his death.

Cassada's awards include the Global War on Terrorism Service Medal, the Afghanistan Campaign Medal and the National Defense Service Medal.

He leaves behind his mother, Patricia Cassada, and stepfather, Carroll London, as well as two sisters. I offer my sincere condolences to them and the rest of his family and friends. They are in my thoughts and prayers.

Madam Speaker, I ask my colleagues to join me in expressing remorse at to the passing of LCpl Jessie Cassada, as well as never-ending gratitude for the servicemen and women who sacrifice so much to protect our Nation and ensure our freedom. The short life of LCpl Jessie Cassada serves as an inspiration for us all of true patriotism, dedication and courage.

HONORING MARY ANN RIOJAS

**HON. JIM COSTA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Mr. COSTA. Madam Speaker, I rise today along with my colleague from California Mr. NUNES to commend and congratulate Mary Ann Riojas upon being honored by ABC's reality show "Extreme Makeover: Home Edition." Ms. Riojas and family were surprised by Ty Pennington and crew on January 8, 2009 at their home in central Fresno located on East Robinson, Fresno, CA, at the heart of the Central Valley.

Ms. Riojas was born without legs and only one fully developed arm. As a child, Mary Ann was placed in foster care and grew up in an unstable household and poverty. Even though Mary Ann was no stranger to adversity her challenges continued after expanding her family with four children. In financial distress she turned to public assistance to keep her family afloat.

Regardless of Mary Ann's disabilities and financial struggles she continued to live life to the fullest. Her vibrant determination led her to become the first in her family to earn a college degree when she graduated in 2002 from San Joaquin Valley College with an associate degree in Business Administration. She also obtained a drivers license in 2002 which gave her the ability to drive a special hand-controlled vehicle.

Determined to excel, Mary Ann not only became an employee of Easter Seals but also served as a State and national Ambassador. She has traveled all over the country with the Easter Seals program, spreading her joy and enthusiasm for life. Mary Ann eventually switched jobs and decided to help others in her community and that is when she began working for the Fresno Housing Authority as a counselor to other families who are struggling with life's adversities.

Mary Ann does not see herself as a person with disabilities. Mary Ann is a strong woman who has raise four children Nichole 18, Victoria 17, Angel 15, and Jessie 14, and she continues to inspire others on a daily basis. The Extreme Makeover: Home Edition will forever change her life and make her home a better and more user friendly place for her to enjoy with her children.

Madam Speaker, I rise today to commend and congratulate Mary Ann Riojas. I invite my colleagues to join me in wishing Ms. Riojas and her family many years of continued success.

PERSONAL EXPLANATION

**HON. HENRY E. BROWN, JR.**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Mr. BROWN of South Carolina. Madam Speaker, I am writing to notify that I was absent for votes on January 9, 2009. Had I been present, I would have voted:

Rollcall Vote No. 7: On Motion to Recommit with Instructions the Paycheck Fairness Act—"yea."

Rollcall Vote No. 8: On Passage of the Paycheck Fairness Act—"nay."

Rollcall Vote No. 9: On Passage of the Lilly Ledbetter Fair Pay Act of 2009—"nay."

Rollcall Vote No. 10: On Motion to Suspend the Rules and Agree to Recognizing Israel's right to defend itself against attacks from Gaza, reaffirming the United States' strong support for Israel, and supporting the Israeli-Palestinian peace process—"yea."

HAL ELLIS JR.

**HON. BARBARA LEE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Ms. LEE of California. Madam Speaker, I rise today to honor the extraordinary life and accomplishments of Mr. Hal Ellis, Jr. Mr. Ellis contributed immeasurably to the development and economic growth of the 9th Congressional District. He was a devoted community leader, creative and innovative entrepreneur, and a great source of support and encouragement to those who knew him. Our community said goodbye to Hal on January 6, 2009, after a courageous five-year battle with metastatic melanoma.

Hal Ellis was born on August 4, 1931 to Harold and Bertha Ellis in Portland, Oregon. However, his family moved to Oakland, California just two years later in 1933. For this reason, and as a result of the endless dedication and compassion Mr. Ellis exhibited for the Oakland community throughout his life, everyone considered Hal a native "Oaklander."

Hal graduated from Piedmont High School in 1949 and received a Bachelors Degree from the prestigious University of California, Berkeley in 1953. He was a member of the legendary 1951 and 1952 Cal Bears football teams under the leadership of Coach Pappy Waldorf, affectionately known as "Pappy's Boys." While at Cal, Mr. Ellis also served as President of the Phi Delta Theta fraternity. In 1955, Mr. Ellis graduated from the Stanford Graduate School of Business and then went on to serve his country for two years in the United States Air Force as an intelligence officer stationed in Morocco.

Mr. Ellis was ambitious and driven from a very young age. In 1958, at the age of 27, Mr. Ellis co-founded Grubb & Ellis Co. along with his business partners Don and John Grubb. Mr. Ellis guided the company as its Chairman and CEO, bringing others up with him as he led the company through countless successful ventures. In the following decades, Mr. Ellis would become one of the most prolific and iconic real estate developers in the Greater Bay Area.

Mr. Ellis directly oversaw the growth of his company from a small Oakland development firm into a national diversified real estate company. Most influential to the lives of residents in my district, the work that Mr. Ellis' company performed and the vision Mr. Ellis had for the architectural and urban integrity of our area dramatically reshaped downtown Oakland, California. Nationally, his company would grow to such influence that it was listed on the New York Stock Exchange. Mr. Ellis' keen business sense and tireless dedication elevated his company to the prominent position as the larg-

est independently owned, publicly traded real estate firm in the United States. Today, the company boasts 130 offices world-wide.

Sixteen years ago, Mr. Ellis co-founded Ellis Partners LLC with his daughter, Melinda and his son, James. Ellis Partners LLC has, in its own right, become one of California's largest commercial developers and investors. Hal also formed Catalist Homes, which reflected his vision for the future of the residential real estate industry by creating a model of technical intelligence and efficiency.

Although Mr. Ellis' influence and impact was truly phenomenal in scope, his true contribution was the indelible imprint he left on the landscape of Oakland, California. His efforts led to the development of the Oakland City Center and Oakland's Jack London Square. Both of these developments have been and are critical to the vibrancy of a diverse and complex urban area whose residents deserve the opportunity afforded by a healthy local economy where small businesses can thrive.

Mr. Ellis was extremely involved in his community and professional organizations. He was an excited and inspiring individual, always ready to share his vision for the future and work on creative collaborations to bring innovation and growth to the development industry. Hal was a member of the Pacific Union Club, the Claremont Country Club, the World Presidents Organization and several additional real estate industry organizations.

A gentleman with endless optimism and strength, even Mr. Ellis' illness produced in him a sense of urgency to make a difference and advocate on behalf of others suffering from this devastating form of cancer. With the support and partnership of his family members, the University of California, San Francisco and Bain & Company, Mr. Ellis led the efforts to form the Melanoma Therapeutics Foundation. In the hopes of expediting the discovery of a cure for this disease, his family continues to remain involved and encourage support of this important organization in memory of Mr. Ellis.

On behalf of the residents of California's 9th Congressional District, I would like to thank Hal Ellis' family for sharing this wonderful spirit with us, especially his loving wife of 22 years, Marian Ellis, his sister, Jackie Ellis Leisz, his sons Stephen and James Ellis, his daughters Melinda Ellis Evers, Chantal Lamberto, and Jackie Lamberto, his daughters-in-law Karen and Melissa, sons-in-law Will and Eli, and of course his beloved grandchildren, Katherine, Audrey, Elizabeth, Ryan, Tyler, Gracie, Morgan, and Braydon. Mr. Ellis' legacy will live on through his devoted family and a host of loving friends. May his soul rest in peace.

EXTENDING THE NEW MARKETS  
TAX CREDIT TO THE TERRITORIES

**HON. MADELEINE Z. BORDALLO**

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Ms. BORDALLO. Madam Speaker, today I have reintroduced a bill to amend the Internal Revenue Code of 1986 to extend eligibility of the New Markets Tax Credit (NMTC) to Com-

munity Development Entities (CDEs) created or organized in American Samoa, Guam, the Commonwealth of the Northern Mariana Islands (CNMI), Puerto Rico, and the U.S. Virgin Islands. This bill would make a technical correction to existing law governing the New Markets Tax Credit (NMTC) Program and specifically authorize the Secretary of the Treasury to certify corporations or partnerships organized in one of the four U.S. territories as entities qualified to participate in the competitive application process for the New Markets Tax Credit.

The Community Renewal Tax Relief Act of 2000 (Public Law 106-554) authorizes the NMTC Program for the purpose of increasing incentives for investment in low-income communities across the country. Under the NMTC Program, certified Community Development Entities (CDEs) are eligible to apply for a New Markets Tax Credit from the Community Development Financial Institutions Fund at the Department of the Treasury. Taxpayers who then invest in the CDE are allocated some of those credits in return for their investment. The CDE must invest those funds in low-income communities, and the taxpayers are able to claim, over a seven-year period, credits equal to 39 percent of their investment. CDEs act as intermediaries for the provision of loans, investment funding, or financial counseling in low-income communities and are able to legally operate anywhere in the United States, including in the territories.

Despite the ability of a CDE under current law to legally and practically operate in a U.S. territory, a corporation or partnership that is created or organized in a U.S. territory applying for CDE certification cannot qualify for such certification under current law. This ineligibility stems from such organizations being deemed "foreign" and not "domestic" under other relevant provisions of the Internal Revenue Code of 1986. This nuance in law effectively prevents local CDEs in the territories, that is, entities who would otherwise be recognized as such by the Department of the Treasury, from investing in their own communities.

The bill I have reintroduced today would rectify this situation, which I recognize to be an oversight of Congress in the enactment of the Community Renewal Tax Relief Act of 2000. The bill would allow for the certification of CDEs created or organized in a U.S. territory thereby enabling them to operate and invest in their own communities. CDEs organized and operating in any one of the several States or the District of Columbia could continue to invest in low-income communities in the territories under this arrangement.

I am joined by Mr. FALCOMA of American Samoa, Mrs. CHRISTENSEN of the U.S. Virgin Islands, Mr. PIERLUISI of Puerto Rico, and Mr. SABLAN of the Commonwealth of the Northern Mariana Islands in introducing this bill. We look forward to working with the Chairman and Ranking Member of the Committee on Ways and Means to advance this bill and to support increased investment opportunities for our own communities. Ultimately, this bill is about making the New Markets Tax Credit Program work for the territories and ensuring Congressional intent behind the New Markets Tax Credit is fully realized and fulfilled in our communities.

TRIBUTE TO U.S. SENATOR MITCH  
McCONNELL OF KENTUCKY

### HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Mr. ROGERS of Kentucky. Madam Speaker, I rise today to pay tribute to U.S. Senator MITCH McCONNELL, a true statesman, who now holds the prestigious record as Kentucky's longest serving U.S. Senator. It is truly an honor for the Commonwealth of Kentucky to be served by such an accomplished and determined leader.

I remember the early days when MITCH first arrived in Washington, D.C., wandering the halls of Congress, but leaning on his experience as a local Judge-Executive in Jefferson County seeking compromise and working to solve problems. Today he is the Republican Leader in the United States Senate and is known for his mastery of parliamentary procedure, his ability to unite the Senate Republicans—which is no small feat—and standing firm on his conservative principles.

An advocate for Eastern Kentucky families, MITCH is a great friend of mine who understands the needs of the Bluegrass State and does everything he can to help those who need it most. MITCH is rightly credited for being an integral part of one of the greatest legislative achievements in Kentucky history, which were his efforts to pass the tobacco buyout. Many observers said the buyout would be impossible to arrange; however, MITCH dived in head first and with great focus was able to successfully push forward legislation that has allowed Kentucky farmers to transition to other crops and properly reimbursed quota holders. He should be proud of his efforts as he saved thousands of farmers and their families.

Always wanting to move Kentucky forward, MITCH has worked tirelessly to strengthen higher education which has benefitted millions in the Bluegrass State. By improving our universities, MITCH has not only helped our students succeed but has helped to bolster communities, create new jobs and build a strong workforce for the Commonwealth. Kentucky's future leaders have been awarded many new opportunities thanks to MITCH.

In addition to all he has done for the Commonwealth, MITCH is known as a fierce campaigner who did the seemingly impossible when he first defeated an incumbent Senator in 1984, and then went on to lay the foundation for the resurgence of the Kentucky Republican Party. Republican success within Kentucky is due in large part to MITCH's vision and hard work.

Madam Speaker, I ask my colleagues to join me in honoring Senator MITCH McCONNELL and his accomplishment as Kentucky's longest serving Senator. He is truly a legend in the Commonwealth and I look forward to his continued successes.

A CELEBRATION OF THE LIFE OF  
WAYNE C. THOMPSON

### HON. DIANE E. WATSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Ms. WATSON. Madam Speaker, it is with profound sorrow that I learned of the passing of my associate and colleague, Wayne Thompson, in December. Over the past two years, Wayne had become a trusted advisor to me on the Freedmen's efforts to secure full citizenship in the Cherokee Nation of Oklahoma. I will deeply miss Wayne's knowledge, wisdom, and sage advice. I have prepared the following resolution in honor of a man who defined the meaning of a purpose-driven life.

#### RESOLUTION

Whereas Wayne C. Thompson was born January 15, 1946, in Spencer, Oklahoma, the fourth of nine children of Tasso and Daisy Lee Thompson;

Whereas Wayne Thompson completed his secondary education in Spencer, Oklahoma and received a BSC in Social Psychology from Makerere University in Kampala, Uganda;

Whereas Wayne C. Thompson served in the United States Army with tours of duty in Vietnam and Germany;

Whereas Wayne C. Thompson dedicated his life to the promotion of human and civil rights around the world, including his participation in numerous marches and sit-ins during the Civil Rights Movement and service to the international wing of the Black Panther Party;

Whereas Wayne C. Thompson was the long-standing Executive Director of the Oklahoma Health Care Project through which he was involved with the Community Health Centers movement, Responsive Intervention Prevention Program for Community Organizations, the Young Black Men's and Women's Forums, Agent Orange Class Assistance Program, Developmental Outreach Program for Minority Communities, the Seminole and Cherokee Freedmen, World Health Organization, numerous delinquency prevention and youth violence intervention programs, All of Us or None, and the defense of political prisoners and the San Francisco 8;

Whereas Wayne C. Thompson was a founding member of the Institute of the Black World 21st Century and a coordinator of the Haiti Support Project and had an abiding and profound interest and commitment to eradicating social and economic injustice in Central America, Mozambique, Haiti, and the developing world;

*Resolved,*

(1) That Wayne Thompson led an exemplary and selfless life in service of those less fortunate;

(2) That Wayne Thompson was a fighter for justice who sought no notoriety for his efforts to help oppressed people around the world; and

(3) That Wayne Thompson was a warrior with the biggest heart, one of the greatest civil rights soldiers the world has known, whose good deeds and works have left the world a better place, and whose memory will be carried forward by the legions of people he touched with his remarkable human spirit.

RETIREMENT OF SENATOR  
GEORGE VOINOVICH

### HON. JEAN SCHMIDT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Mrs. SCHMIDT. Madam Speaker, this past Monday, Senator GEORGE VOINOVICH announced that he will not be seeking re-election to the United States Senate in 2010. Senator VOINOVICH has dedicated the last 40 years of his life to public service. I look forward to continuing to work with him over the next 2 years, but would be remiss if I did not acknowledge that he will be sorely missed when he leaves.

Since 1967, GEORGE VOINOVICH has been a fixture in Ohio politics. Ohio has been blessed to have such a tireless advocate so dedicated to serving others. Although Washington, DC will be losing a respected voice on so many pressing issues, I congratulate him on his 40 years of distinguished and outstanding service to the citizens of the State of Ohio and wish him, his wife, Janet, and his entire family the best in the coming years.

CONGRESSIONAL TRIBUTE HONORING LINDA CHAVEZ-THOMPSON

### HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Mr. GONZALEZ. Madam Speaker, we rise today to honor the life and accomplishments of Linda Chavez-Thompson, a San Antonio resident who will be honored this Friday by the San Antonio AFL-CIO for her achievements and contributions to our community.

A native of Lubbock, Ms. Chavez-Thompson has been an integral part of the American labor movement for 40 years. In 1995, she made history when she was elected Executive Vice-President of the AFL-CIO, the first Hispanic to hold one of the organization's three highest offices. She currently serves as executive vice-president emerita and remains committed to delivering economic and social justice to all Americans.

Over the course of her life she has partnered with many organizations on behalf of civil and human rights, including those of women, immigrant Americans, and the LGBT community. And as she continues to work to better the world around her, her current projects include starting a scholarship fund for children of union members and developing a future leadership initiative.

The city of San Antonio, the State of Texas, and our entire country have reaped the benefits of her hard work and lifelong commitment to justice and equality, and we could not be more grateful for her contributions. Congressman CIRO RODRIGUEZ and I are honored to know her as a friend, and we congratulate Ms. Chavez-Thompson for all of her achievements and this well deserved recognition.

HONORING THE LIFE AND SERVICE  
OF CANDELARIA TAITANO RIOS

**HON. MADELEINE Z. BORDALLO**

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Ms. BORDALLO. Madam Speaker, I rise today to honor the life and service of Candelaria Taitano Rios, a community leader on Guam. Known to her friends and family as "Candy" or "Lala," she passed away on January 5, 2009. I commend her for her lifetime of achievements and her service to our community.

Candy was born on February 22, 1932, to John and Rosario Taitano in the village of Hagåtña, Guam. Candy was married to the late Joseph Leon Guerrero Rios and they had five children, the late Joleen Rios, Joseph Rios Jr., Rose Rios, John Rios, and Helen Rios. She attended George Washington High School in Mangilao, Guam and graduated in 1951. She continued her education by earning an Associate's and Bachelor's Degree from the College of Guam before earning her Master's degree in Elementary Administration and Supervision from the University of Guam in 1971.

While Candy pursued her college degrees, she taught in Guam's public schools from 1951 to 1976. She was appointed as Assistant Principal at Piti Elementary School and as Principal at C.L. Taitano Elementary School in Sinajana. In 1986, Candy retired from Government of Guam service as the Deputy Director of the Government of Guam Retirement Fund.

After her retirement, Candy remained involved in many community projects and the non-profit sector. As a charter member of the Retired Educators Association, she advocated for issues important to retirees on Guam and promoted the advancement of quality education for Guam's students. She was also a member of the Retirement Employee's Association, the Vocational Education Advisory Council, and the Guam Elementary Administrators Association, for which she also served as Vice President.

Candy Rios was active in community affairs and was a leader in the Democratic Party of Guam. She served in many positions in the party and was an effective grass roots activist and organizer. Many sought her advice and endorsement, and through her volunteer work, she had a significant impact in the electoral successes of the Democratic Party.

Candy Rios was a lifelong educator and community leader. I extend my heartfelt condolences to her children, Joseph, Rose, John, Helen, her family, and her friends as we mourn her loss and celebrate her lifetime of achievements.

COMMEMORATING NATIONAL  
FOLIC ACID AWARENESS WEEK

**HON. PETE SESSIONS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Mr. SESSIONS. Madam Speaker, I rise today to recognize the observance of America's annual National Folic Acid Awareness Week, which began on January 5, 2009.

It is my hope that this awareness week gives the Food and Drug Administration (FDA) further awareness to reduce the prevalence of preventable serious birth defects in women of childbearing age across all segments of our population. Enriched cereals and grain products are fortified with the B-vitamin folic acid, but only one-third of U.S. women of childbearing age consume the scientifically recommended daily amount. Folic acid, a B-vitamin, is particularly critical for proper cell growth and has been scientifically proven to prevent birth defects of the brain and spine, called Neural Tube Defects (NTD).

Women especially need folic acid, even if not planning to become pregnant since 50 percent of all pregnancies are unplanned. Consuming the recommended amount of folic acid each day before pregnancy can reduce the risk of a birth defect of the brain and spine by seventy percent. The prevalence rates of NTDs has declined by 27 percent since the U.S. Food and Drug Administration's mandatory addition of folic acid to enriched grain products in 1998. Even with this improvement in the reduction in the Neural Tube Disorders of Spina Bifida and Anencephaly birth defect births, there still are 3,000 babies born each year with serious birth defects, and an estimated 5,000 that die from a serious birth defect.

Since 1998, over 100 peer-reviewed scientific studies have been published and been reviewed by a distinguished group of leading birth defect scientists and researchers. These individuals concluded that more folic acid to already fortified enriched grain products, and folic acid to corn-based products, is important to our country's public health and should be examined by the DFA. In 2006, the Congressional Spina Bifida Caucus petitioned the FDA for review and the FDA refused the request, saying there was not enough science to merit the agency's review.

A recent Center for Disease Control (CDC) study, published in December of 2008, the agency found that only 21 percent of Hispanic women of childbearing age are consuming the recommended amount of folic acid to effectively prevent serious birth defect births, compared with 40 percent of Caucasian women. Hispanic babies are 1.5 to 2 times more likely than other children in the U.S. to be born with a neural tube defect (NTD). The CDC reports that Hispanics across the United States consume the least amount of folic acid, and have the least knowledge about the role that folic acid plays in preventing a serious birth defect birth among all racial or ethnic groups in our country. This leads to an important goal of National Folic Acid Awareness Week, education. Birth defect prevention education is alarmingly low, so public education is essential. Surveys since 1998 have found that only 24 percent of women know that folic acid helps prevent birth defects. Of those who do know, only 40 percent know how much should be taken every day. Over ten years, public education efforts on the parts of the CDC, various birth defect prevention groups, and State and federal prevention awareness programs have been a great start in informing women of the necessity of folic acid during childbearing years, but we still have our work cut out for us.

I would like to recognize the National Folic Acid Awareness Week and increase public awareness of the need for all women of childbearing age to get the recommended amount

of folic acid each day. A continued effort on all fronts is necessary, I encourage the FDA to look at the research and consider adding more folic acid to enriched grain products and corn-based products.

I will be reintroducing a resolution calling for this action and I ask my colleagues to join me in this education effort.

PERSONAL EXPLANATION

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Mr. GRAVES. Madam Speaker, I would like to state for the record my position on the following votes I missed due to personal reasons.

On Wednesday, January 7, 2009, and Friday, January 9, 2009, I missed rollcall votes 5, 6, 7, 8, 9 and 10. Had I been present, I would have voted "aye" on rollcall votes 5, 6, 7 and 10 and "nay" on rollcall votes 8 and 9.

IN MEMORY OF FATHER RICHARD  
JOHN NEUHAUS

**HON. FRANK R. WOLF**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Mr. WOLF. Madam Speaker, I rise today in memory of Father Richard John Neuhaus who passed away on January 7, 2009. Father Neuhaus was a man of great intellect and a prolific writer who defined the terms of the modern debate regarding the role of religion in public life. His work inspired a countless number of individuals and his legacy which is grounded in his deep faith in God will live on for years to come. The following piece which appeared in the January 19 edition of Newsweek is a fitting tribute to the life and work of Father Neuhaus.

[From Newsweek, Jan. 19, 2009]

RICHARD JOHN NEUHAUS, 1936-2009—AN  
HONORABLE CHRISTIAN SOLDIER

(By George Weigel)

Father Richard John Neuhaus's work will be remembered and debated for decades. As a Lutheran pastor, he was one of the first civil-rights activists to identify the pro-life cause with the moral truths for which he and others had marched in Selma; he set the terms of the contemporary American church-state debate and added a new phrase to our public vocabulary with his 1984 best-seller, "The Naked Public Square." As a Catholic priest, he helped define new patterns of theological dialogue between Catholics and evangelicals, and between Christians and Jews. The journal he launched in the early 1990s, *First Things*, quickly became, under his leadership and inspiration, the most important vehicle for exploring the tangled web of religion and society in the English-speaking world. All of this suggests that Richard Neuhaus was, arguably, the most consequential public theologian in America since the days of Reinhold Niebuhr and John Courtney Murray, S.J.

He was also a marvelous human being, with the convictions of a true Christian disciple and the heart of a spiritually insightful pastor. In the retrospect of the death of my closest professional friend on Jan. 8, his living room—in which we prayed, argued,

laughed and planned for more than 30 years—strikes me as a concise summary of the man.

Over the fireplace hung an old etching of Jerusalem, identical to that which once adorned the office of Teddy Kollek, the city's longtime mayor: for Neuhaus lived, thought and wrote within a thoroughly biblical cast of mind, in which the earthly Jerusalem represents the New Jerusalem of the Book of Revelation—the fulfillment of humanity's deepest spiritual longings. On one wall was an abstract, modernistic print of a boy riding a Chagall-like bird: "That's little Dickie Neuhaus," he once told me, "riding the Holy Spirit." A Byzantine icon of his patron, the apostle John, marked another wall, with a vigil light burning before it; Richard used to joke that his Lutheran pastorate, the church of St. John the Evangelist in the then desperately poor Bedford-Stuyvesant section of Brooklyn, was "St. John the Mundane," as distinguished from the Episcopalian Cathedral of St. John the Divine in Morningside Heights. There was a colossal sound system, for he loved music, especially Bach; there were bookcases containing the Lutheran Book of Worship, from which he and the ecumenical Community of Christ in the City, with whom he lived, prayed vespers every evening, before and after his reception into the Catholic Church; and there were ample supplies of bourbon and cigars, both of which Richard regarded as essential complements to the ongoing, boisterous conversation that was his intellectual and spiritual lifeblood.

For a man of sharply expressed opinions, he was also a skilled listener and a gentle counselor, with a particular care for helping young men and women figure out what God had in mind for their lives. In the Catholic phase of his ministry, which began after his ordination by Cardinal John O'Connor in 1991, an act which he regarded as completing his commitment to Lutheranism as a reform movement within the one Church of Christ, he served a working-class parish, as he had done as a Lutheran; in both cases, he declined to preach "down" to his congregations, such that his challenging sermons deepened many people's faith. He was generous in supporting the poor throughout the world, giving away a significant portion of his lecture fees and book royalties.

Richard Neuhaus was also an American patriot with a critical love for the country to which he moved, permanently, at age 15, after a rambunctious childhood and adolescence in Pembroke, Ontario, where his father

was a Lutheran pastor. As a teenager, he ran a filling station in Cisco, Texas—likely the only counselor of two popes and several presidents who ever joined the Texas Chamber of Commerce at age 16. His distinguished career as a public intellectual led some to think that he was embroidering things a bit when he claimed he had never graduated from high school; but he hadn't.

He had the remarkable, and mathematically counterintuitive, ability to multiply his enthusiasm and energy while dividing it with others. That was a grace. And that is one of the many reasons why so many of us will miss him as we shall miss few others.

A TRIBUTE TO REV. WALTER E. FAUNTROY, FORMER MEMBER OF THE HOUSE OF REPRESENTATIVES, ON THE OCCASION OF HIS 50TH ANNIVERSARY AT AND RETIREMENT FROM NEW BETHEL BAPTIST CHURCH

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 13, 2009*

Ms. NORTON. Madam Speaker, I rise for the uniquely important occasion of honoring a man I am pleased to call a personal friend, but more important, a distinguished former member of the House of Representatives, and my predecessor, Walter E. Fauntroy, on the occasion of his 50th anniversary and simultaneous retirement as pastor from the New Bethel Baptist Church, one of the great churches in our Nation's capital. Many of you remember Rev. Fauntroy as your distinguished colleague. You already know that Walter has lived the lives of several men—a distinguished minister, a Member of this Congress, a civil rights leader, a scholar, a devoted husband and a father. Consequently, when America hears the name Walter Fauntroy, we think of more than one man, because he has done the work of several energetic men, often at the same time. It is difficult to find an American who has played so many important leadership roles and who has been so deeply a part of actually weaving a new fabric of equality and justice for our country.

Rev. Fauntroy was sworn in as a Member of the House of Representatives, the District of Columbia's first delegate in the 20th century, on March 23, 1971. For 10 terms, he helped shape national policy, serving on important committees and subcommittees, including the House, Banking, Finance and Urban Affairs Committee, the Subcommittee on Domestic Monetary Policy, which he chaired for 6 years, and the Subcommittee on International Development, Finance, Trade, and Monetary Policy, which he chaired, for 4 years. As a Member, Congressman Fauntroy also chaired the Bipartisan/Bicameral Task Force on Haiti for 15 years. Before I was elected, I was pleased to join Congressman Fauntroy and two others at a sit-in at the South African Embassy to launch the "Free South Africa" movement, which ultimately led to the end of apartheid. Congressman Fauntroy is very fondly remembered here as a founding member of the Congressional Black Caucus and was its chair from 1981 to 1983.

Before the District of Columbia achieved home rule, President Lydon B. Johnson appointed Rev. Fauntroy to the DC city council, where he served from 1967 to 1969. For his leadership in the home rule struggle, the people of the District of Columbia showed their confidence in Rev. Fauntroy by electing him to the House of Representatives. In Congress, Fauntroy was a father of home rule for the District of Columbia, which allowed the District to elect its own Mayor and city council.

Even before his election, Fauntroy was a national figure in the civil rights movement and a key advisor to Dr. Martin Luther King Jr. Rev. King named him director of his Washington bureau of the Southern Christian Leadership Conference and national coordinator of the Poor People's Campaign. He later was chair of the board of directors of the Martin Luther King Jr. Center for Social Change in Atlanta, Georgia.

I am pleased to join the congregation of New Bethel Baptist Church and I ask my colleagues to join me in honoring Rev. Walter Fauntroy for his unusually successful and dedicated life of service to the people of the United States of America, the residents of the District of Columbia, and the congregation of the New Bethel Baptist Church.

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S319–S351*

**Measures Introduced:** Sixteen bills and two resolutions were introduced, as follows: S. 215–230, S.J. Res. 5, and S. Res. 13. **Pages S337–38**

#### Measures Passed:

**Sale and Counterfeiting of Presidential Inaugural Tickets:** Committee on Rules and Administration was discharged from further consideration of S. 60, to prohibit the sale and counterfeiting of Presidential inaugural tickets, and the bill was then passed. **Pages S350–51**

#### Measures Considered:

**Lands Bill:** Senate continued consideration of S. 22, to designate certain land components of the National Wilderness Preservation System, to authorize certain programs and activities in the Department of the Interior and the Department of Agriculture, taking action on the following amendments proposed thereto: **Pages S324–33**

#### Pending:

Reid Amendment No. 15, to change the enactment date. **Page S324**

Reid Amendment No. 16 (to Reid Amendment No. 15), of a perfecting nature. **Page S324**

Motion to recommit the bill to the Committee on Energy and Natural Resources, with instructions to report back forthwith, with Reid Amendment No. 17, to change the enactment date. **Page S324**

Reid Amendment No. 18 (to the instructions of the motion to recommit), of a perfecting nature. **Page S324**

Reid Amendment No. 19 (to Reid Amendment No. 18), of a perfecting nature. **Page S324**

A unanimous-consent-time agreement was reached providing for further consideration of the bill at approximately 9:30 a.m., on Wednesday, January 14, 2009, the time until 10:30 a.m. be equally divided and controlled between the two Leaders, or their designees, and Senate vote on the motion to invoke cloture on the bill; provided further, that all second-degree amendments be filed at the desk by 10 a.m., on Wednesday, January 14, 2009. **Page S351**

**Lilly Ledbetter Fair Pay Act—Cloture:** Senate began consideration of the motion to proceed to consideration of S. 181, to amend title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967, and to modify the operation of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, to clarify that a discriminatory compensation decision or other practice that is unlawful under such Acts occurs each time compensation is paid pursuant to the discriminatory compensation decision or other practice. **Page S349**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, January 15, 2009. **Page S349**

Subsequently, the motion to proceed was withdrawn. **Page S349**

**Executive Communications:** **Pages S336–37**

**Additional Cosponsors:** **Page S338**

**Statements on Introduced Bills/Resolutions:** **Pages S338–49**

**Notices of Hearings/Meetings:** **Page S349**

**Authorities for Committees to Meet:** **Page S349**

**Adjournment:** Senate convened at 10 a.m. and adjourned at 7:38 p.m., until 9:30 a.m. on Wednesday, January 14, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S351.)

### Committee Meetings

*(Committees not listed did not meet)*

#### NOMINATION

**Committee on Banking, Housing, and Urban Affairs:** Committee concluded a hearing to examine the nomination of Shaun Donovan, of New York, to be Secretary of Housing and Urban Development, after the nominee, who was introduced by Senator Schumer, testified and answered questions in his own behalf.



**NOMINATIONS**

*Committee on the Budget:* Committee concluded a hearing to examine the nominations of Peter R. Orszag, of Massachusetts, to be Director, who was introduced by Representatives Spratt and Paul Ryan, and Robert L. Nabors II, of New Jersey, to be Deputy Director, who was introduced by Representative Obey, both of the Office of Management and Budget, after the nominees testified and answered questions in their own behalf.

**NOMINATION**

*Committee on Energy and Natural Resources:* Committee concluded a hearing to examine the nomination of Steven Chu, to be Secretary of Energy, after the nominee, who was introduced by Senators Feinstein

and Boxer, testified and answered questions in his own behalf.

**NOMINATION**

*Committee on Foreign Relations:* Committee concluded a hearing to examine the nomination of Hillary R. Clinton, to be Secretary of State, after the nominee, who was introduced by Senator Schumer, testified and answered questions in her own behalf.

**NOMINATION**

*Committee on Health, Education, Labor, and Pensions:* Committee concluded a hearing to examine the nomination of Arne Duncan, to be Secretary of Education, after the nominee, who was introduced by Senator Durbin, testified and answered questions in his own behalf.

---

# House of Representatives

***Chamber Action***

**Public Bills and Resolutions Introduced:** 33 public bills, H.R. 2, 460–491; 1 private bill, H.R. 492; and 8 resolutions, H. Con. Res. 20; and H. Res. 50–51, 54–58, were introduced. **Pages H194–96**

**Additional Cosponsors:** **Page H196**

**Reports Filed:** Reports were filed on January 3, 2009 as follows:

Legislative Review Activities of the Committee on Foreign Affairs for the 110th Congress (H. Rept. 110–939);

Report on Legislative and Oversight Activities of the House Committee on Homeland Security for the 110th Congress (H. Doc. 110–940);

Report on the Activities of the Committee on the Judiciary during the 110th Congress (H. Doc. 110–941); and

Report of the Activities of the Committee on Armed Services for the 110th Congress (H. Doc. 110–942).

Reports were filed today as follows:

H. Res. 52, providing for consideration of the bill (H.R. 2) to amend title XXI of the Social Security Act to extend and improve the Childrens Health Insurance Program (H. Rept. 111–1) and

H. Res. 53, providing for consideration of the bill (H.R. 384) to reform the Troubled Assets Relief Program of the Secretary of the Treasury and ensure accountability under such Program (H. Rept. 111–2). **Pages H193–94**

**Speaker:** Read a letter from the Speaker wherein she appointed Representative Edwards (MD) to act as Speaker pro tempore for today. **Page H169**

**Recess:** The House recessed at 12:55 p.m. and reconvened at 2 p.m. **Page H169**

**Suspensions:** The House agreed to suspend the rules and agree to the following measures:

*Supporting the goals and ideals of National Mentoring Month 2009:* H. Res. 41, to support the goals and ideals of National Mentoring Month 2009, by a  $\frac{2}{3}$  yea-and-nay vote of 411 yeas with none voting “nay”, Roll No. 11; **Pages H171–73, H182**

*Honoring the life of Claiborne Pell, distinguished former Senator from the State of Rhode Island:* H. Res. 50, to honor the life of Claiborne Pell, distinguished former Senator from the State of Rhode Island, by a  $\frac{2}{3}$  yea-and-nay vote of 415 yeas with none voting “nay”, Roll No. 12;

**Pages H173–76, H183**

*Recognizing the efforts of those who serve their communities on Martin Luther King Day and promoting the holiday as a day of national service:* H. Res. 43, to recognize the efforts of those who serve their communities on Martin Luther King Day and to promote the holiday as a day of national service, by a yea-and-nay vote of 415 yeas with none voting “nay”, Roll No. 13; and **Pages H176–79, H183–84**

*Authorizing and directing the Committee on the Judiciary to inquire whether the House should impeach G. Thomas Porteous, a judge of the United*

**States District Court for the Eastern District of Louisiana:** H. Res. 15, amended, to authorize and direct the Committee on the Judiciary to inquire whether the House should impeach G. Thomas Porteous, a judge of the United States District Court for the Eastern District of Louisiana. **Pages H179–82**

**Recess:** The House recessed at 3:17 p.m. and reconvened at 6:30 p.m. **Page H182**

**Administration of the Oath of Office:** Representative-elect Gary G. Miller (CA) presented himself in the well of the House and was administered the oath of office by the Speaker. **Page H183**

**Whole Number of the House:** The Speaker announced to the House that, in light of the administration of the oath to the gentleman from California, Mr. Gary G. Miller, the whole number of the House is adjusted to 434. **Page H183**

**Recess:** The House recessed at 8:28 p.m. and reconvened at 8:50 p.m. **Page H191**

**Committee Resignation:** Read a letter from Representative Welch, wherein he resigned from the Committee on Rules, effective January 14, 2009. **Page H191**

**Committee Resignation:** Read a letter from Representative Sutton, wherein she resigned from the Committee on Rules, effective January 14, 2009. **Page H191**

**Committee Resignation:** Read a letter from Representative Castor (FL), wherein she resigned from the Committee on Rules, effective January 14, 2009. **Page H191**

**Committee Resignation:** Read a letter from Representative Turner, wherein he resigned from the Committee on Veterans' Affairs, effective January 13, 2009. **Pages H191–92**

**Committee Elections:** The House agreed to H. Res. 51, electing the following Members to certain standing committees of the House of Representatives: Committee on House Administration: Representatives Zoe Lofgren (CA), Capuano, Gonzalez, Davis (CA), and Davis (AL). Committee on Rules: Representatives Perlmutter, Pingree (ME), and Polis (CO). **Page H192**

**Presidential Messages:** Read a message from the President wherein he transmitted a report detailing the plan of the Secretary of the Treasury to exercise the authority under the Emergency Economic Stabilization Act of 2008—referred to the Committee on Financial Services and ordered printed (H. Doc. 111–5). **Page H170**

Read a message from the President wherein he transmitted an agreement between the United States and new NATO Parties on the provision of atomic

information—referred to the Committee on Foreign Affairs and ordered printed (H. Doc. 111–6).

**Pages H170–71**

**Quorum Calls—Votes:** Three yea-and-nay votes developed during the proceedings of today and appear on pages H182, H183, and H183–84. There were no quorum calls.

**Adjournment:** The House met at 12:30 p.m. and adjourned at 8:54 p.m.

## *Committee Meetings*

### USE OF TARP FUNDS UNDER EESA

*Committee on Financial Services:* Met to discuss “Priorities for the Next Administration: Use of TARP Funds under EESA.” The following officials participated in the discussion: Donald L. Kohn, Vice Chairman, Board of Governors, Federal Reserve System; and John F. Bovenzi, Deputy to the Chairman and Chief Operating Officer, FDIC; and non-governmental persons.

### CHILDREN'S HEALTH INSURANCE PROGRAM REAUTHORIZATION (CHIRPA) ACT OF 2009

*Committee on Rules:* Granted, by a non-record vote, a rule providing for consideration of H.R. 2, the “Children’s Health Insurance Program Reauthorization Act of 2009,” under a closed rule. The rule provides for one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce and the chair and ranking minority member of the Committee on Ways and Means.

The rule waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The bill shall be considered as read. The rule waives all points of order against the bill. This waiver does not affect the point of order available under clause 9 of rule XXI (regarding earmark disclosure). The rule provides one motion to recommit the bill with or without instructions. Testimony was heard from Representatives Pallone, Stark, Jackson-Lee (TX), Boren, Kissell, Deal (GA), Biggert, Gingrey (GA), Fortenberry, and Scalise.

### TARP REFORM AND ACCOUNTABILITY ACT OF 2009

*Committee on Rules:* Granted, by a non-record vote, a rule providing for consideration of H.R. 384, the TARP Reform and Accountability Act of 2009. The rule provides for two hours of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. The rule waives all points of order against consideration of the bill except those arising under

clause 9 of rule XXI. The rule provides that the Committee of the Whole shall rise without motion after general debate and that no further consideration of the bill shall occur except pursuant to a subsequent order of the House. Testimony was heard from Chairman Frank and Representative Bachus.

## *Joint Meetings*

No joint committee meetings were held.

---

### COMMITTEE MEETINGS FOR WEDNESDAY, JANUARY 14, 2009

*(Committee meetings are open unless otherwise indicated)*

#### Senate

*Committee on Agriculture, Nutrition, and Forestry:* to hold hearings to examine the nomination of Thomas J. Vilsack, to be Secretary of Agriculture, 10 a.m., SD-G50.

*Committee on Commerce, Science, and Transportation:* to hold hearings to examine the nomination of Ray LaHood, to be Secretary of Transportation, 2:30 p.m., SR-253.

*Committee on Environment and Public Works:* to hold hearings to examine the nominations of Lisa P. Jackson, to

be Administrator of the Environmental Protection Agency, and Nancy Helen Sutley, to be Chairman of the Council on Environmental Quality, 10 a.m., SD-406.

*Committee on Homeland Security and Governmental Affairs:* to hold hearings to examine the nominations of Peter R. Orszag, of Massachusetts, to be Director, and Robert L. Nabors II, of New Jersey, to be Deputy Director, both of the Office of Management and Budget, 2 p.m., SD-342.

*Committee on Veterans' Affairs:* to hold hearings to examine the nomination of Eric K. Shinseki, to be Secretary of Veterans Affairs, 10 a.m., SD-106.

#### House

*Committee on Armed Services,* to meet for organizational purposes, 10 a.m., 2118 Rayburn.

*Committee on Energy and Commerce,* to meet for organizational purposes, 2 p.m., 2123 Rayburn.

*Committee on Small Business,* to meet to discuss the State of the Small Business Economy and Identifying Policies to Promote an Economic Recovery, 10 a.m., 2360 Rayburn.

*Committee on Ways and Means,* to meet for organizational purposes, 11 a.m., 1100 Longworth.

*Next Meeting of the SENATE*

9:30 a.m., Wednesday, January 14

## Senate Chamber

**Program for Wednesday:** Senate will continue consideration of S. 22, Lands Bill, and vote on the motion to invoke cloture on the bill at 10:30 a.m.

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10 a.m., Wednesday, January 14

## House Chamber

**Program for Wednesday:** Consideration of the following suspension: H. Res. 40—Amending the Rules of the House of Representatives to require each standing committee to hold periodic hearings on the topic of waste, fraud, abuse, or mismanagement in Government programs which that committee may authorize. Consideration of H.R. 2—Children's Health Insurance Program Reauthorization Act of 2009 (Subject to a Rule) and H.R. 384—TARP Reform and Accountability Act of 2009 (Subject to a Rule).

## Extensions of Remarks, as inserted in this issue.

## HOUSE

Baird, Brian, Wash., E70  
 Berman, Howard L., Calif., E71  
 Bordallo, Madeleine Z., Guam, E68, E73, E76, E78  
 Brown, Henry E., Jr., S.C., E75  
 Conyers, John, Jr., Mich., E69, E70  
 Costa, Jim, Calif., E75  
 Edwards, Chet, Tex., E69  
 Gonzalez, Charles A., Tex., E77  
 Granger, Kay, Tex., E70, E74

Graves, Sam, Mo., E74, E78  
 Herseth Sandlin, Stephanie, S.D., E75  
 Kanjorski, Paul E., Pa., E71, E74  
 Lee, Barbara, Calif., E76  
 McHugh, John M., N.Y., E69  
 Matheson, Jim, Utah, E73  
 Matsui, Doris O., Calif., E67, E73  
 Miller, Jeff, Fla., E74  
 Norton, Eleanor Holmes, D.C., E79  
 Radanovich, George, Calif., E67, E70, E74  
 Rogers, Harold, Ky., E77

Schmidt, Jean, Ohio, E77  
 Scott, David, Ga., E71  
 Sessions, Pete, Tex., E78  
 Shuler, Heath, N.C., E75  
 Simpson, Michael K., Idaho, E70  
 Tiahrt, Todd, Kans., E68  
 Van Hollen, Chris, Md., E67  
 Watson, Diane E., Calif., E77  
 Wolf, Frank R., Va., E69, E78  
 Young, C.W. Bill, Fla., E68



# Congressional Record

printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through *GPO Access*, a service of the Government Printing Office, free of charge to the user. The online database is updated each day the *Congressional Record* is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available through *GPO Access* at [www.gpo.gov/gpoaccess](http://www.gpo.gov/gpoaccess). Customers can also access this information with WAIS client software, via telnet at [swais.access.gpo.gov](http://swais.access.gpo.gov), or dial-in using communications software and a modem at 202-512-1661. Questions or comments regarding this database or *GPO Access* can be directed to the *GPO Access* User Support Team at: E-Mail: [gpoaccess@gpo.gov](mailto:gpoaccess@gpo.gov); Phone 1-888-293-6498 (toll-free), 202-512-1530 (D.C. area); Fax: 202-512-1262. The Team's hours of availability are Monday through Friday, 7:00 a.m. to 5:30 p.m., Eastern Standard Time, except Federal holidays. ¶The *Congressional Record* paper and 24x microfiche edition will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, \$252.00 for six months, \$503.00 per year, or purchased as follows: less than 200 pages, \$10.50; between 200 and 400 pages, \$21.00; greater than 400 pages, \$31.50, payable in advance; microfiche edition, \$146.00 per year, or purchased for \$3.00 per issue payable in advance. The semimonthly *Congressional Record Index* may be purchased for the same per issue prices. To place an order for any of these products, visit the U.S. Government Online Bookstore at: [bookstore.gpo.gov](http://bookstore.gpo.gov). Mail orders to: Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954, or phone orders to 866-512-1800 (toll free), 202-512-1800 (D.C. area), or fax to 202-512-2250. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

**POSTMASTER:** Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Printing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.