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House of Representatives

The House was not in session today. Its next meeting will be held on Wednesday, November 19, 2008, at 1 p.m.

Senate

MONDAY, NOVEMBER 17, 2008

(Legislative day of Wednesday, September 17, 2008)

The Senate met at 12 noon 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.

O God of new beginnings, as our Nation greets the dawn of fresh opportunities and daunting challenges, inspire the Members of this body to trust Your sovereignty. May they remember the words of the 75th Psalm, declaring that You place leaders in positions of authority.

As we pray for our outgoing and incoming Senators, help them to place their ultimate trust in You, the author and finisher of destinies.

Today we also pray for our Government's executive branch. Sustain our President in the remaining days of his administration. Sustain also the President-elect, Barack Obama. Give him the integrity of Joseph, the faith of Moses, and the wisdom of Solomon. Prepare him to mobilize the branches of our Government toward shared objectives that honor Your 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, November 17, 2008.

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.

ORDER FOR MORNING BUSINESS

Mr. REID. Mr. President, following my remarks and the remarks of Senator MCCONNELL, I ask unanimous consent that the Senate proceed to a period of morning business with Senators allowed to speak for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. REID. Mr. President, I, of course, welcome everyone back for what we hope to be a short period of time before Thanksgiving. We, of course, have completed this election. We still have three Senate contests where we are waiting to get the results. One of them should be decided in the next few days, the one in Alaska; the one in Georgia will be decided on December 2; and the one in Minnesota will take, I am told, a month or 6 weeks. In that race they have 3 million hand ballots, and Minnesota is going to count every one of them. So that is going to take a while.

In the summer of 1858, a young State legislator from Illinois accepted his party's nomination for the Senate with a timeless speech that echoed from coast to coast. That speech has been recited many times. He said:

"A house divided against itself cannot stand." . . . I do not expect the Union to be dissolved—I do not expect the house to fall—but I do expect it will cease to be divided.

That is what he said. One hundred fifty years later, a young Senator from the land of Lincoln stood on the very same steps on which Abraham Lincoln stood to announce his pursuit of his party's nomination for President by calling upon our country to not just believe in his ability to change Washington but to believe in what we can do together if we set aside what divides us and embrace a common purpose.

Over the past 21 months, Barack Obama has had a message of hope much like Abraham Lincoln's which has spread across this country like a tidal

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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wave. Two weeks ago tomorrow—it seems like a long time ago; it was less than 2 weeks ago, Mr. President—Americans waited on lines that stretched for blocks to answer Senator Obama's call to cast their vote for change.

Yesterday, Barack Obama officially ended his term in the Senate and traded up to a new title: President-elect of the United States. It has been a pleasure to get to know this fine young man and work with his remarkable intellect during his short tenure in the Senate. His presence in these Halls and on the Senate floor will be missed. But the Senate's loss is America's gain. I look forward to working with President-elect Obama, as we all do, as he concludes one chapter and begins another in his life. But, as no one knows better than the President-elect, our joy in his election is tempered by a sober realization of the challenges, great and grave, that lie ahead.

In the 6 weeks since we have been gone, our economic crisis has deepened. We have seen numerous bankruptcies, hundreds and hundreds of thousands of jobs lost, consumer confidence plummet, and unemployment go up to 6.5 percent. Major companies and some minor companies have gone bankrupt, such as Mrs. Fields cookies, one of my favorite places to go in a busy mall in Las Vegas—because nearly every mall you go to has declared bankruptcy. That is only one example.

This morning we learned that Citigroup intends to cut an additional 50,000 jobs. They have already cut 20,000. We are seeing a potential meltdown in the auto industry, with consequences that could impact directly upon millions of American workers and cause further devastation to our economy. If ever there were a time for working together, this is it. Senators have a choice to make. We can wait until January when we have a new Congress and a new President or we can start trying to work on some of these problems now. If we work together in the coming days, perhaps we can begin delivering solutions for the American people.

Today we will introduce a comprehensive economic stimulus plan worked out with the Appropriations, Finance, and Agriculture Committees. This legislation will invest in infrastructure to create jobs, extend unemployment insurance for those who are out of work, provide food stamps to help those struggling families make ends meet, and provide State fiscal relief to prevent States from being forced to cut services and raise taxes. There are other things in it, and I need not go through all of that. It is a package of some $100 billion.

We also put in aid for the ailing U.S. auto industry. The Treasury Department has acknowledged they could provide the auto companies the temporary assistance to keep automakers solvent by taking money out of the $700 billion we have already provided to the Treasury Department. But the Secretary of the Treasury said he chooses not to do that because all it would take is one stroke of a pen, and that problem would be solved.

We also know that Federal Reserve Chairman Bernanke has authority to provide funds to the automobile industry, but thus far neither the Treasury Department nor the Federal Reserve has done so, and from what we have heard, they have no intention of doing so in the near future. But this week we can, Congress can, if we move forward, protect and create American jobs, help working families, and prevent our economy from falling even further into recession. In the event there is objection to passing this important legislation, we will have an opportunity to vote on a second piece of legislation that consists solely of unemployment insurance and relief for the auto industry and the auto industry's workforce. So we have the big stimulus package. If we can't get that, then we will move to the unemployment compensation extension together with the auto bailout.

I ask my colleagues to show the American people in the face of tremendous economic pain and uncertainty we will not have to wait until January.

On another matter, Senator BENNETT and I have made a decision that rather than move forward on the lands package, which is hundreds of bills that are so important to a lot of people, a lot of Senators, and certainly a lot of people around the country, we are better off waiting until we come back in January. Senator BENNETT and I believe we will have more votes then. It will be easier to do it at that time.

But one of the first things we are going to do is, there will be a bipartisan piece of legislation introduced that will include all the stuff that has been held up these past 2 years, the so-called lands bills. That will be the first or second thing we do when we come back in January. We will move forward on that package by using rule XIV. I think that serves everyone's interests. We have been told that if we bring it up today there would be a requirement to read that bill. It would take more than 24 hours to do that. It is obvious that likely there would not be the votes for that.

So, as I said, Senator BENNETT and I believe that is the best way to proceed, and I am convinced that is right. I have spoken to other people here who are very interested in this, Senator SALAZAR and others who believe this was so important to get done, but I think discretion is the better part of valor and I alert everyone we will do this when we get back.

So I look forward to this week. We have these bright new Senators coming. In just a few minutes I will meet the new Senator from Idaho, whom I have not met. I have heard such good things about him. He has a remarkable record. He served as a Governor of the State of Idaho and then Lieutenant Governor of the State of Idaho and now is the new Senator replacing Senator CRAIG.

I had the opportunity to meet with Secretary Johanns, the new Senator-elect from Nebraska. What an outstanding person he is. I am sure he will be a great addition to the Senate. And I have had an opportunity to meet some of the Democrats who are coming in.

I think this is an opportunity for us to become closer as a Senate family. I certainly hope we can do that. I hope we can look forward to working together, not as partisans but as public servants, all devoted to delivering the change this country needs and these difficult times demand.

For me personally, I think this is also a time not to look back. This has been a very difficult 2 years that will end come January 1. The Senate was evenly divided. I mean, how much more evenly divided could it be, with TIM JOHNSON taking ill and the fact that he was not here, able to operate. So we had a Senate where we didn't have a majority. There were other things that came up where we as the majority didn't have a majority.

But there is no need to look back; we need to look forward. There were reasons for everyone doing what they did. We can let the historians write about what took place in the past. Let's look forward to what we can talk about as a better future for our country. With the margin coming in January not being as close as it has been, I want everyone within the sound of my voice to know that we don't know how these three Senate races are going to come out. They are still counting the votes. We don't know what our majority is going to be. But whatever it is, if it is what it now appears to be or we pick up one of the Senate seats or two of them or all of them or whatever it is, I make a commitment to everyone that the only way we can succeed is by working together.

Everyone realizes the House of Representatives has different rules than we have. They can push things through because they have a majority. Perhaps we can push through some things because we have a majority, but I don't want to do that. I want to pass things because it is good for the country and we do it on a bipartisan basis. We need to work together.

We have Senators of goodwill who are willing to set aside their partisan differences and move forward. That is what we need to do. I have said many times, if we are able to accomplish things here there is credit to go around to every Senator. But if we continue to fail in our accomplishments, there is blame to go around for everyone.

I hope we all look forward to the coming year, one of hope and necessity to change things because we obviously have a big hole, and we have to try to find our way out of it. The best way to do that is to have 100 people working in the same way.

RECOGNITION OF THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

SENATE GOALS

Mr. MCCONNELL. Mr. President, first, I would like to congratulate President-elect Obama on his victory. It is a rare honor for the Senate to send one of its own to the White House. In fact, I think it has only happened two other times, Warren G. Harding and John F. Kennedy, who went directly from the Senate to the White House. Regardless of party, every one of us, I am sure, feels a certain institutional pride in the event.

I called the new President shortly after his victory to offer my congratulations, and he was gracious in congratulating me on my own victory when he returned the call. As it happened, when he returned the call, I was grocery shopping in the local Kroger and enjoying the people passing by saying ''Congratulations.''

There I was in front of the cereal talking to the new President on my cell phone. What I told him was we would all be here to work with him once he takes office. I think both of us are eager to confront the challenges ahead. I told him he can expect cooperation on the confirmation of qualified nominees to key Cabinet posts. Faced with two wars overseas and a complex financial crisis at home, the American people should not have to worry about a power vacuum at places such as the Pentagon, the State Department, Treasury or the Department of Homeland Security.

Now, history offers a fairly clear path to success or failure for new Presidents. It is there for every new President who comes in to observe. The path I have discussed with the President-elect is one that can lead to success. As I see it, we face a simple choice: We can either work together to confront the big issues, the big issues of the day that neither party is willing to tackle on its own or the majority can instead focus on narrow partisan issues that appeal to a tiny sliver of the populace but which lack the support of the American mainstream.

In my view, the choice is rather simple, but the work that follows will not be. So I hope President-elect Obama will go after the big things and go after them early. If he does, our chances of achieving a positive result for the American people will be greatly increased.

We can start with some of the things President-elect Obama spoke about on the campaign trail, such as cutting spending, paying down the national debt, providing speedy tax relief, committing to a long-term strategy for energy independence, and reining in our out-of-control entitlement spending that threatens to consume 70 percent of the Federal budget in 9 years. Let me say that again: Our out-of-control entitlement spending will consume 70 percent of the Federal budget in 9 years.

These are the challenges on which Senator Obama campaigned. They also happen to be issues upon which Republicans and Democrats should be able to reach some agreement. The American people are looking to us to resolve these issues, and Senate Republicans are eager to get that work done.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Mr. President, let me say through the Chair to my distinguished counterpart, congratulations on your victory. As George Will, the esteemed columnist, wrote over the weekend, he compared your victory to Henry Clay, and I know the Senator is from the State of Kentucky. So I congratulate you on years of hard work.

Mr. MCCONNELL. I thank my friend, the majority leader.

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 will proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk the will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN. 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.

OHIO'S VETERANS

Mr. BROWN. Mr. President, Ohio is home to more than 1 million veterans, dedicated men and women who have served in every branch of our Nation's Armed Forces and every major conflict in the modern era. They have served to keep our freedoms, so our Nation could remain secure. Ohioans have a longstanding tradition of service to our country. Ohio's veterans include Presidents and generals, from Grant to Sherman, and pioneers of American advancement, such as Neil Armstrong, John Glenn, and James Lovell.

But for every well-known American veteran, there are, of course, many more heroes who have quietly served this Nation and my State of Ohio with honor and distinction.

As our Nation looks forward to the return of our loved ones from the battlefield, all of us remember the tremendous contributions our veterans have made to Ohio and to our country. We are humbled by their patriotism and their bravery.

On Veterans Day and every day, it is my honor to thank Ohio veterans and their families for their service to our great State and our great Nation.

The Ohio Veterans Hall of Fame was created in 1992 to recognize the lifetime contributions of veterans, not just those who serve their country in the Armed Forces but also those who continue to give back since they left the service. I honor, congratulate, and salute all of them.

The Ohio Veterans Hall of Fame Class of 2008 is made up of several men and women whose stories I would like to briefly tell.

Samuel Arnold, from Butler County, is a U.S. Army veteran, Vietnam war. Arnold is a member of the Veterans of Foreign Wars Post 4369 board of trustees and provides dentistry to veterans who reside at Joseph House at little or no cost.

Paul Baldridge, Jr., from Franklin County, is a U.S. Navy veteran. Baldridge has served in a number of veterans organizations, including the Navy League of the United States, where he has held positions as State president, national director, and vice president.

Oscar Decker, Jr., from Union County, is a U.S. Army veteran, Army National Guard and Army Reserve in World War II and Vietnam. Decker organized the Union County Military Family Support Group in 2003 and was awarded the Legion of Honor Award from the Chapel of the Four Chaplains and the American Legion of Merit.

Rebecca Eden, a registered nurse from Cuyahoga County, is a U.S. Army Nurse Corps veteran, World War II. Eden is a lifetime member of Gold Star Wives and AMVETS. She was presented with the Veterans Affairs Commendation given by the Ohio Veterans Commission for helping veterans pursue educational goals in 1982.

Eugene Fitzthum, from Erie County, is a U.S. Army veteran, World War II. Fitzthum was presented the John L. Smith AMVET of the Year Award for all his volunteer work for AMVETS Post 17 in 2008 and Volunteer of the Year from the Ohio Veterans Home in 2006.

Nada Fleming, a registered nurse from Cuyahoga County, is a U.S. Navy veteran, Desert Shield/Desert Storm. Fleming is a past commander of Seven Hills VFW Post 7609 and was appointed as National VFW Nurse of the Year for 2006–2007.

Robert Haas, from Stark County, is a U.S. Army veteran, Korean war. Haas served as the volunteer liaison officer for the U.S. Military Academy, West Point, for the past 29 years. He is a founding member and past president of the Greater Cleveland Chapter of the Korean War Veterans Association No. 69.

Dale Huffman, from Montgomery County, is a U.S. Army veteran. His public broadcasting skills have helped to energize veteran advocacy, and he was inducted into Dayton's Walk of Fame on September 25, 2008.

Charles Ianni, deceased, was from Cuyahoga County, U.S. Army veteran, World War II. Ianni was named Veteran of the Year by Cuyahoga County and was a charter member of the John Towle Chapter of the 82nd Airborne Division Association, Special Forces Chapter.

James Johnson, from Franklin County, is a U.S. Air Force veteran. Johnson was awarded the AFCRC Certificate of Recognition for his contribution, support, and distinguished service to his community, especially in the area of veterans affairs in 2007.

Jack M. Kennedy, from Franklin County, is a U.S. Navy veteran, Vietnam war. Kennedy has served in the Navy League of the United States, where he has held various positions, including Navy League council president. He is a lifetime member of the Military Officers Association of America.

Margaret Kruckemeyer, a nurse, from Green County, is a U.S. Army veteran. Kruckemeyer is the president of the American Veterans Heritage Commission and is past national board member on the Nurses Organization of Veterans Affairs Foundation.

Samuel Lanza, from Trumbull County, is a U.S. Marine Corps veteran, World War II. Lanza was appointed to the Trumbull County Veterans Service Commission in 1997. He is a past State commander for the Disabled American Veterans.

Gregory Lashutka, from Franklin County, is a U.S. Navy veteran. Lashutka is the former mayor of the city of Columbus and was selected as Municipal Leader of the Year in 1993. He has maintained continuous membership in the Columbus Chapter of the Navy League and has provided support, counsel, and advice to individual veterans and veterans groups.

Erwin Morse, from Clark County, is a U.S. Air Force veteran. Morse retired from the U.S. Air Force and went to work at the Dayton Veterans Administration Medical Center. He is the founder of the Honor Flight Network which raises funds and collaborates with a number of organizations to provide an opportunity for our Nation's World War II and terminally ill veterans from around the country to experience the National World War II Memorial in Washington, DC.

Stanley Pace, from Cuyahoga County, is a U.S. Air Force veteran, World War II. Pace has been active in the Boy Scouts of America since 1958 and was awarded the Silver Beaver and the Silver Antelope for his service. He is also active in the United Way of Cleveland and served as chairman of the annual United Way fund drive.

Elva Pounders, from Summit County, is a U.S. Marine Corps veteran, Vietnam war. Pounder is vice chairman for the Governor's Advisory Committee on Women Veterans and was awarded the 500 Hour Award for her extraordinary volunteer efforts at Brecksville VA Medical Center in 2006.

Tony Sustarsic, Cuyahoga County, is a U.S. Army veteran, World War II. Sustarsic is the founder, past president, and lifetime member of Euclid Veterans Club. He is also a fundraiser for the Veterans of Foreign Wars Post 1056 and American Legion Post 343.

William Willoughby, Jr., from Lake County, is a U.S. Army veteran, Vietnam war. Willoughby is a U.S. Military Academy admissions coordinator and serves on the Veterans Issues Committee. He was very helpful to me in selecting young men and women for West Point, for the U.S. Military Academy, when I was a Member of the House of Representatives.

Herman Zerger, a long-time friend of mine, is from Monroe County, U.S. Army veteran, with service in World War II and a prisoner of war. Zerger was one of the founding charter members of the Veterans of Foreign Wars Post 5303. He is an active participant in Ohio No. 1, American Ex-Prisoner of War.

As a Member of the Senate Veterans Committee, on which I serve with the Presiding Officer from Montana, my colleague, Senator TESTER, it has been my privilege to hear from Ohio veterans across the State about what matters most to them. Those discussions with veterans at roundtables and hearings in Ohio reinforce my profound respect for our veterans.

It is our duty as Members of Congress to do all we can to provide the services they have earned and deserved. I look forward to working with veterans and their families in the coming years to ensure that Ohio veterans' voices are heard in Washington.

We made major progress last year. Senator TESTER, Senator WEBB, Senator SANDERS—many of us on the Veterans Affairs Committee—Senator MURRAY and others, and, of course, Chairman AKAKA, made major gains in health and education benefits for veterans with the new GI bill—the most important benefits granted, the largest amount of benefits granted since the original GI bill several decades ago. I am appreciative of the work of my colleagues on that issue.

EXTENSION OF UNEMPLOYMENT BENEFITS

Mr. BROWN. Mr. President, when I think about the debate over extending unemployment insurance, some questions come to mind.

Does anyone in Congress want more American families to lose their homes?

Does anyone in Congress want more American children to go to bed hungry?

Does anyone in the House or Senate want more American families to stop paying their heating bills, to delay their credit card payments, to skip out on their health care bills?

Does anybody in the House or Senate want consumer spending to slow even further, dragging our economy from recession to something even worse?

Assuming the answer to any of these questions is no, then voting to extend unemployment insurance for current job seekers should not be a fight, it should be a formality.

This Chamber approved a massive bailout of the financial industry, not because investment bankers might have to forsake that second or third Mercedes, not because Wall Street bonuses might drop from eight figures to seven figures. We approved that bailout because when credit markets freeze, businesses cannot get working capital, and when businesses cannot get working capital, Americans lose jobs, and when Americans lose jobs, their families suffer, their communities suffer, and our Nation suffers.

It all comes down to Main Street Americans who want to work, who want to pay their bills, who want to take care of their families; their well-being is tied to the well-being of our economy and our Nation. Unemployment insurance is the mechanism by which Americans looking for jobs but who have lost their jobs can sustain their families, can keep their financial commitments, can afford the tools needed to find a new job.

I have heard too many cases where people could not even fill their gas tanks to go out searching for jobs, particularly in rural northwest and rural southeast Ohio.

Extending unemployment insurance is key to getting the economy going. It injects dollars into the economy and helps people meet their obligations, raise their kids, and do what they need to do in the community. It is one of the most important and immediate ways to stimulate the economy.

Relief for financial institutions was intended to prevent massive job loss, to stabilize the economy, to stem foreclosures. Extending unemployment insurance is intended to promote job growth, to stabilize the economy, and to stem foreclosures. It is the smart thing to do. It is the right thing to do. It holds one important advantage over the financial bailout. The people who benefit directly from an extension of unemployment compensation, from an extension of unemployment insurance, live on Main Street, with not a single Wall Street CEO in sight.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from California.

Mrs. FEINSTEIN. I thank the Chair.

(The remarks of Mrs. FEINSTEIN pertaining to the introduction of S. 3685 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mrs. FEINSTEIN. 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. SPECTER. 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.

ECONOMIC AID TO THE AUTOMOBILE INDUSTRY

Mr. SPECTER. Mr. President, I have sought recognition to comment on two issues relating to our current economic problems which are so widespread in our country. One is the proposed economic aid to the automobile manufacturers and the second is the proposed assistance to people who are threatened with foreclosure.

The suggestion has been made that there should be very substantial Federal economic aid to the automobile manufacturers, focusing at the moment on General Motors. I am prepared to consider that issue providing we have a factual and evidentiary basis which would warrant such economic aid, with an analysis of the current financial situation of General Motors, with an analysis of what the proposals are to assist General Motors in a way which would be realistically calculated to keep General Motors in operation, and with an evidentiary base to show that there is not some preferable alternative with respect to letting the market take its course.

It seems to me indispensable that if Congress is to undertake that kind of analysis that there is going to have to be regular order followed as to how we legislate in this body. And that was not done on the recent $700 billion proposal which was passed by the Congress last month. Our regular order requires that there be a legislative proposal, a bill written down which can be read, studied, and analyzed. After there is a bill, to have hearings with the appropriate committee and to hear proponents of the plan and to hear opponents of the plan and then to have in regular order a committee markup where the members of the committee sit down—in this case the Banking Committee, which has jurisdiction—look over the bill and then mark it up—that is goes over the bill line by line. Then a report is written. The report comes to the full membership, the Senate has debate, amendments may be offered, and then the Senate works its will on passing a bill, if the Senate chooses to do so.

A similar proceeding occurs in the House of Representatives, and then there is a conference with Members of the two bodies coming together for a presentation to the President, who then has ideas maybe involved in the legislative process, and he signs or vetoes.

Regrettably, that was not done during the passage of the $700 billion economic aid proposal, and it was not done, I submit, much to the disadvantage of the country. When this issue was under consideration, I wrote to the majority leader and the Republican leader by a letter dated September 21 urging that we not rush to judgment; saying that we ought to follow regular order in the way we handle this matter.

Mr. President, I ask unanimous consent to have inserted in the RECORD a copy of this letter following my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SPECTER. On September 23, I wrote to Secretary of the Treasury Paulson and the Chairman of the Federal Reserve Ben Bernanke raising quite a number of issues looking to what the merits of the proposal were. On September 27, I wrote again to Secretary Paulson, Chairman Bernanke, also again to the leaders of the House and Senate, and also to the key members of the committee raising a series of questions. I have yet to receive an answer to any of these letters.

On September 29, I was informed that we would have a session after the House of Representatives defeated the proposal, which was a surprise; that there would be a session on Wednesday, October 1, at 7:30 in the evening, and the Senate was then confronted with a proposition to either take it or leave it. No amendments could be offered. By this time, the original proposal had expanded from 4 pages, which Secretary Paulson had initially submitted, and it had expanded to more than 100 pages, then to more than 400 pages. It was unknown generally that there was a good bit in the legislative proposal of what we refer to as grants or pork, which turned out to be very, very embarrassing. But faced with that kind of an emergency situation, my vote was cast in the affirmative.

The vote was 474 to 25, a very heavy margin in support of the legislation, and it was a rush to judgment, without following regular order and without considering so many of the critical issues which should have been taken up in the regular course of Senate business.

I traveled my State during the course of the month of October, as it is my custom to touch each of Pennsylvania's 67 counties each year, and the number one item on the agenda was the $700 billion economic aid program. And candidly, the temperature of my constituents was boiling—212 degrees Fahrenheit—and the thermometer was broken. I see the distinguished Senator from Maryland, Senator MIKULSKI, nodding in the affirmative that that was the situation in her State as well. Now we are asked to have economic aid for General Motors. There has been a figure of some $25 billion which is talked about. I am prepared to consider that, but only if there is an understanding of what are the facts, what is the evidence; is there a factual and evidentiary base for Congress to do this?

I am told informally that it takes $11 to $14 billion in cash to operate General Motors.

But they now have $16.2 billion. They have $50 billion in bonds that are perhaps worth in the range of $20 billion or a little more in the market that yield 9 percent in interest. On the market value, that would put their borrowing somewhere over 20 percent. The question comes to my mind: Isn't that expensive? Couldn't that be modified? But I have yet to see any semblance of a plan for General Motors to become viable. What are the prospects?

General Motors and the automobile industry generally—the industry has been on notice for a long time that they were in a very difficult competitive situation; that the standards on gas mileage were about to be imposed and were imposed in legislation last year. What have they done?

We have been told it is not advisable to consider chapter 11 proceedings under bankruptcy. But we know that Continental and U.S. Air have gone through that.

We are told that the warranties would not be sustainable and that people would lose confidence. There may be ways to address that kind of issue with a fund set up for warranties to be funded.

All of these are questions which, it seems to me, need to be answered. When we were informed through a variety of sources that we would be in a lame duck session starting today, there was a projection for a Senate vote on Wednesday. I wrote to Senator REID and Senator MCCONNELL, a letter very similar to the one I wrote on September 21, urging that we not rush to judgment and asking that there be consideration of a great many of these issues if we were to make some sensible determination as to financial aid to the automobile industry. I sent copies of this letter, again, to Treasury Secretary Paulson and to Federal Reserve Chairman Bernanke, and also to the chief executive officers of General Motors, Ford, and Chrysler.

I ask unanimous consent that copies of these letters be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, September 23, 2008.

HENRY M. PAULSON, Jr.,
Secretary of the Treasury, Department of the Treasury, Washington, DC.

BEN S. BERNANKE,
Chairman of the Board of Governors, Federal Reserve System, Washington, DC.

DEAR SECRETARY PAULSON AND CHAIRMAN BERNANKE: I write to you because I am in the process of deciding how to vote on legislation to deal with the economic crisis. I agree that there is need for federal action; but I am concerned that we not rush to judgment without giving sufficient attention to the many complex issues which are involved.

At the outset, the, or a, precipitating cause was the fact that hundreds of thousands of people, perhaps as many as five million, faced an inability to make their mortgage payments and eviction from their homes. These mortgages were ''securitized,''

divided up and sold in packages to many people or entities. As a result, it was not always clear who had the authority to adjust these mortgages, and when it was clear, adjustments were not made quickly enough. Last November, Senator Durbin introduced S. 2136 and I introduced S. 2133 to give the bankruptcy courts authority to revise homeowners' financial obligations. Keeping people in their homes should be a, if not the, fundamental object of congressional action.

After assisting homeowners, a decision should then be made as to what additional federal aid is necessary to unclog the lending pipelines and restore confidence and stabilize the economy. I am very skeptical about granting authority to spend $700 billion on other aid without standards as to who should get the funds and a requirement that there be demonstrated necessity that such additional expenditures are indispensable to stabilizing the economy.

Then there is the question of oversight and regulation. Obviously, there must be oversight and some regulation to prevent a recurrence. As I see it, the regulation must be calibrated to those objectives and not go too far. Vigorous enforcement of our laws to prevent market manipulation, as well as added transparency, should be a priority.

I hear tremendous resentment from my constituents on this matter. In a free enterprise society, entrepreneurs may undertake whatever risks they choose to secure big profits, but when there are losses, they should not turn to the government for a bailout which puts the burden on the taxpayers. The firms/corporations and their executives who created the crisis should not profit from a federal bailout. If it is not already a part of your proposal, you should consider structuring the funding in a way that gives the Government a preferred creditor position and a share in ultimate profits, rather than simply buying up debt which has declined in value. And any aid should be conditioned on the elimination of golden parachutes or large compensation packages.

Also, I am concerned about reports that foreign corporations, with a United States affiliate, will participate in a federal bailout. If foreign corporations are to get funding, then foreign governments ought to bear their fair share.

I know there is concern that Congress must act promptly or the economy may deteriorate further. It seems to me that Wall Street should and would understand that legislation on this complex matter requires some time. If it is seen that Congress is moving as swiftly as practicable, that ought to stem the tide. But we can only do it as fast as realistic to work through the legislative proposals and resolve these intricate issues.

These are issues which come to my mind at the moment and I am sure there will be more as the hearings progress and the debate occurs. I would appreciate your responses as promptly as possible.

Sincerely,

ARLEN SPECTER.

U.S. SENATE,
Washington, DC, November, 14, 2008.

Hon. HENRY PAULSON,
Secretary of the Treasury, Washington, DC.
Hon. BEN BERNANKE,
Chairman, Federal Reserve Board.

GENTLEMEN: With this letter, I am enclosing a copy of a letter which I am sending today to Senate Majority Leader Harry Reid and Republican Leader Mitch McConnell.

I would appreciate your views on the issues which I have raised in that letter. By letter dated September 23, 2008, I wrote to the two of you asking questions about the September bailout proposal and have never received an answer.

Sincerely,

ARLEN SPECTER.

U.S. SENATE,
Washington, DC, November 14, 2008.

Hon. HARRY REID,
Majority Leader,
U.S. Senate.
Hon. MITCH MCCONNELL,
Republican Leader,
U.S. Senate.

DEAR HARRY AND MITCH: In considering what action, if any, to take on financial aid to General Motors and the other auto manufacturers, I urge that the Senate follow regular order and not rush to judgment.

By letter dated September 21, 2008 I wrote to you two leaders with the same recommendation on following regular order on the bailout plan then under consideration, and then Congress proceeded to act precipitously without appropriate consideration for all the complex issues involved. It is true that the Senate was faced with an emergency situation on October 1st when the Dow had plunged 777 points after the House of Representatives rejected the proposed legislation on September 29th. Senators were then faced with voting yes or no without having the customary hearings, committee markup, floor debate and an opportunity to offer amendments. As a result, the legislation was filled with pork since no one had an opportunity to strike it and the Congress endorsed a plan which had not been given appropriate consideration.

There are many complex questions which need to be answered before the Senate can even begin to make a preliminary assessment on aid to the auto manufacturers. We need to know the specifics on General Motors' financial situation. It is reported that GM has sufficient cash to keep it afloat for a substantial period of time so that immediate financial aid is not indispensable.

It has been further reported that General Motors has sufficient cash and liquidity to continue to operate if it was not for the servicing of the debt estimated to be about $50 billion. That debt is said to have a market value perhaps as low as $20 billion and currently calls for an interest rate of 9% annually so that General Motors is paying well over 20% on the realistic value of the bonds. Some readjustment on that debt and interest might alter significantly General Motors' need for federal aid.

We further need to know what are the realistic prospects that financial aid will solve the problem without having GM and the other automakers come back for more. The automakers have certainly had sufficient notice for years, if not decades, that they had to make major changes to become competitive and yet failed to do so. It was well known that at some point Congress would mandate mileage standards but the automakers did not act aggressively until faced with a congressional mandate. We have now approved $25 billion in federal aid to assist in meeting mileage standards. Why couldn't there be a change in legislation to allow those funds to be made available faster and to broaden their use beyond retooling factories? It would be preferable from the taxpayer point of view to utilize funding already available in a more efficient manner, rather than devoting additional resources to this industry.

Beyond these surface questions, there needs to be a great deal of analysis through the hearing process of many other complex questions.

If the federal government had not bailed out Bear Stearns, AIG and passed the $700 billion bailout, the auto-makers might not now be asking for the same treatment. If the auto-makers are bailed out, it is a virtual certainty that Congress will next hear bailout requests from other sections of the economy. Insufficient consideration by the Treasury Department and the Federal Reserve followed by the rush to judgment by Congress on the $700 billion has left my constituents perplexed about the competency of the federal government to respond rationally to the current problems. In a series of town meetings in October, I found the temperature of my constituents at 212 degrees Fahrenheit over the $700 billion bailout legislation. In extensive discussions with economists, bankers and other financial experts, I have heard a virtually unanimous adverse reaction to bailing out General Motors and/or other automakers. My constituents are frustrated with the lack of transparency in doling out the $700 billion and the change of course from purchasing ''troubled assets'' to one of injecting funds directly into banks. What assurances would we have that these funds for the auto industry would be spent wisely, and as intended by Congress? Isn't it wiser to let the market make those decisions?

I will be looking for answers to these and other questions when the Senate returns for the lame duck session next week. I voted for the bailout on October 1st because of the ominous prospect of a domino effect and its severe impact on our economy. I am prepared to give fair consideration to economic aid to General Motors and other automobile manufacturers because of the national interest including the many jobs at stake in Pennsylvania; but I am not prepared to vote for another massive bailout unless a solid case is made following regular Senate order with hearings, committee mark-up, floor debate and an opportunity to offer amendments.

I am sending a copy of this letter to Treasury Secretary Paulson and Federal Reserve Chairman Bernanke. When the September bailout was under consideration, I wrote to Mr. Paulson and Mr. Bernanke by letter dated September 23, 2008 raising a number of questions. I have yet to receive an answer to that letter. I would like the views of Mr. Paulson and Mr. Bernanke on the issues raised in this letter.

I am also sending copies of this letter to General Motors Chairman and CEO Rick Wagoner, Ford President and CEO Alan Mulally, and Chrysler Chairman and CEO Robert Nardelli with the request that they give me their views on the issues raised in this letter.

Sincerely,

ARLEN SPECTER.

The PRESIDING OFFICER (Mr. WEBB). The Chair has been asked to note that the Senate is in a period of morning business, with comments limited to 10 minutes. The Senator from Pennsylvania has spoken for 11 minutes and the senior Senator from Maryland is on the floor.

Mr. SPECTER. Mr. President, I ask unanimous consent to continue for 5 more minutes.

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

Mr. SPECTER. I thank my colleague from Maryland.

Mr. President, it seems to me these are key questions which need to be answered. The automobile industry obviously is of enormous importance in our country. Not to have the automobile industry would have very severe economic consequences. But we do have to have answers to these questions in regular order. We need to take these matters up so we can cast an intelligent

vote on this kind of economic aid. The question I would supplement is—I heard it from my constituents—Who is next? Bear Stearns was given economic aid, Lehman Brothers was not, and perhaps that was a mistake—perhaps not. AIG was given considerable economic aid. Fannie Mae and Freddie Mac were given considerable economic aid. If we are to make an intelligent decision, we are going to have to take a look at these important questions.

EXHIBIT 1

UNITED STATES SENATE,
Washington, DC, September 21, 2008.

Senator HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.

Senator MITCH MCCONNELL,
Minority Leader, U.S. Senate,
Washington, DC.

DEAR HARRY AND MITCH: As you project the Senate's schedule, I urge that we not rush to judgment and take whatever time is necessary on any proposed legislation to deal with the nation's economic problems. The public, our constituents, have a great deal of skepticism, which I share, about legislation which will let Wall Street ''off the hook'' and pay insufficient attention to Main Street, middle class Americans.

It is important to focus the legislation on the hundreds of thousands of homeowners who are at risk of losing their residences to foreclosure.

In deciding what additional powers to give to the federal regulators, I believe we should give careful consideration to not extending those powers beyond the current crisis and take steps to prevent a recurrence.

I have read reports that some Wall Street firms, whose conduct has created the crisis, will benefit from a congressional legislative fix. We should do our utmost to see to it that those responsible for the crisis bear the maximum financial burden on any bailout in order to minimize the taxpayers' exposure.

There are reports that the bailout might be extended to foreign firms with United States affiliates. In my view, the legislation must be carefully tailored for United States' interests and if foreign firms, even if United States affiliates are to be involved, then consideration should given to appropriate contributions from those foreign governments.

I realize there is considerable pressure for the Congress to adjourn by the end of next week, but I think we must take the necessary time to conduct hearings, analyze the Administration's proposed legislation, and demonstrate to the American people that any response is thoughtful, thoroughly considered and appropriate.

Sincerely,

ARLEN SPECTER.

(The remarks of Mr. SPECTER pertaining to the introduction of S. 3686 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from Maryland is recognized.

(The remarks of Ms. MIKULSKI and Mr. BOND pertaining to the introduction of S. 3684 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. BOND. 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. 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.

Mr. NELSON of Florida. Mr. President, as I understand it, we are in morning business?

The PRESIDING OFFICER. The Senator is correct.

Mr. NELSON of Florida. Mr. President, I would like to be recognized.

The PRESIDING OFFICER. The Senator from Florida is recognized.

FEDERAL LOAN TO THE AMERICAN AUTOMOBILE INDUSTRY

Mr. NELSON of Florida. Mr. President, later this week the Senate is going to consider this question that befalls our American automobile industry and the question of whether to extend assistance to the American automobile industry and its workforce. What we are going to do—either this week or whether it is postponed into January—is going to determine the future of a key manufacturing sector and millions of American jobs.

Some of our colleagues have said we should not interfere with the free market, that we should allow businesses that have acted irresponsibly to fail and to be replaced by more efficient competitors. I must say I have some sympathy for that view. For too long, our U.S. domestic automakers have sailed against the winds of change and have failed to produce vehicles for the 21st century—for that matter, for the last half of the 20th century.

This is not the first time this Senator from Florida has faced this issue, for, as a young Congressman years ago, we had a similar issue facing us with the bailout of the Chrysler Corporation. I voted for that bailout, which included some $4 billion. In retrospect, that was the right decision because Chrysler did reinvent itself. But the circumstances were different because Chrysler had at its helm a man who we believed would go in and reform Chrysler, and that was Lee Iacocca. As I look across the landscape of the American automobile industry, I am wondering, where are the Lee Iacoccas? We do not see them.

It is this Senator's judgment that there should be no bailout of the American automobile industry. There should not be a reward for poor management. But because of the American jobs at risk, because of American manufacturing at risk, I support a Federal loan with serious restrictions.

I want to discuss some of those restrictions. I come to this position having fought tooth and nail against the automobile companies when they dragged their feet on implementing responsible fuel economy standards. They insisted, sometimes with crocodile tears, they could not meet those miles-per-gallon requirements, and: Oh, by the way, let the consumers decide. Those automobile makers are now coming to us asking for our assistance.

But that is not the full picture. As the President-elect has said, a failure of the American auto industry would be disastrous not just for many Americans who work for the industry but for the entire economy because those jobs ripple with the multiplier effect through the economy. So whether you are considering assembly plants or suppliers or dealerships, we would face significant layoffs in all 50 States. It would push us further and further into an economic hole. We simply cannot let that happen, but we cannot allow a bailout. It has to be a Federal loan with a workout, and that is a financial term to restructure how a company can get out of its economic problems. We need to bring all of the stakeholders to the table—management, labor, lenders, suppliers—to figure out how to revitalize the American auto industry to make it competitive in the future while saving those good American jobs.

So this Senator's conclusion is that any Federal assistance we provide for the American auto industry is going to have to include these conditions.

First, we must insist that the automakers increase average miles per gallon to 40 miles per gallon in 10 years and to 50 miles per gallon by 2020. Why do I say this? There are cars, fleets in Japan, that are already driving at 50 miles per gallon. In Europe, the cars are being driven at 40 miles per gallon. We are talking about 12 years in the future to achieve this. Technically, it can be done if we but have the will.

Look, in the 8 years this Senator has been in the Senate, every year we have gotten beaten by the U.S. automakers as we have tried to increase the miles per gallon in the fleet average. They beat us one way or another, and they would always say: Let the consumer decide—all along while the foreign automobile makers were getting prepared to eat their lunch. As their lunch was being eaten, year by year, they continued to still fight us on the miles-per-gallon standards. Finally, we had a little victory, just a year ago, that was conditioned upon giving them—giving them—$25 billion in return for them agreeing they would move to 35 miles per gallon but not until the year 2020. We have to stop this kind of foot-dragging that has gotten them to the place they are now. So for any Federal assistance in the form of a loan we must insist they increase their miles per gallon.

Second, the automakers must increase the production of flex-fuel, electric, and plug-in hybrid vehicles. Prices of gasoline at the pump have obviously fallen in recent weeks, but they are not going to stay low forever, and that is another whole subject. As soon as all the speculators start getting back into the oil futures contracts market again—which have been deregulated, so there is no regulation on the speculators—they will run the price right back up. Remember, the price of a barrel of oil is down in the range of $50 or

$60 now. It went all the way to $147 a barrel. When the world economy started getting into trouble and they needed cash, they started bailing out of those futures accounts, so that brought the price of a barrel of oil down. While sure as shootin', if we do not impose some regulations on the commodity futures trading market, those speculators are going to take over in the future, the price of oil is going to go back up, and the price at the pump—which I just filled up my car for $2.12 a gallon back in Orlando, FL—is going to go back up.

We need to end our dangerous addiction to oil, and we need to find new and renewable sources of energy. American automobile makers ought to be leading the way instead of the opposite of what has happened over the last three decades.

Third, we must place limits on executive compensation and eliminate the executives' golden parachutes. Taxpayer money should not be used to reward individual executives until the taxpayers have been repaid.

Let me divert from the automobile industry for a minute. There is a similarity about executive compensation and golden parachutes and what we have done with the big economic bailout of Wall Street, which this Senator voted against. Well, lo and behold, over the course of the weekend, I happened to be talking to a major bank CEO. This banker told me his bank is in good shape; he doesn't need any of the bailout money. But because some of his competitors are in bad financial shape and need the money and are taking it from the Secretary of the Treasury, he needs to take it, too, because they would be at a competitive disadvantage against the ones that are hurting that need to take the money. He says: We don't want to take it, but we don't want to be at a competitive disadvantage. Because of that, whenever they do take it—remember, there are supposed to be some rules in there on executive compensation and golden parachutes. This CEO is retiring before the money comes in, so the bank still pays out the huge compensation. What we are dealing with, with the Wall Street $700 billion bailout, has to apply to automakers as well. We should not reward those executives until the taxpayers have been repaid.

Fourth, the automakers should not pay dividends to shareholders until they have returned to financial health. It is a simple, straightforward condition on us giving them taxpayer money in order to get them back to financial health.

Fifth, I wish I didn't have to say this, but there are no Lee Iacoccas now. The current senior management should be replaced. We need new leadership. We need fresh thinking. We need new people, new eyes, new ears to steer us out of this mess. We cannot reward those leaders whose poor decisions and poor judgment and sometimes selfishness got us to where we are now.

We are going to face difficult choices. There are going to be tough times. Again, to quote a phrase from the President-elect: We need to act with all deliberate haste but with an emphasis on deliberate. We cannot simply provide our automakers with enough cash to continue their current operations for another 3 months or even another 6. We must instead put them on a path that leads to global competitiveness.

I yield the floor, and 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. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. DORGAN. Mr. President, I ask unanimous consent to speak for 20 minutes as in morning business.

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

FINANCIAL CRISIS

Mr. DORGAN. Mr. President, I think it is obvious to all Americans that we face a very severe and difficult financial crisis. We have had an election. The American people have voted for change. We now face significant challenges. I was thinking, as I was walking over to the floor of the Senate, about a visit I had recently at a nursing home in North Dakota.

This financial crisis is probably the most significant financial crisis since the Great Depression. We don't know where this will go. We don't know how many will ultimately be unemployed. We don't know how long it will last. This is a recession. We hope it is not extraordinarily deep. We hope we can find the menu to overcome it and the kinds of policies to try to make certain we move from this position to a position of economic strength and economic growth, once again.

But I went to a nursing home in North Dakota because North Dakota's oldest citizen was there. She had a birthday. She is a 110-year-old woman; very lucid, very conversational. We talked about the Great Depression, as a matter of fact. We talked about the tough times in her life. She was born in 1898. By the way, her niece was there at the nursing home who had put on a birthday party for her in August. Her niece is 103 years old and her son, who is still farming, is 80 years old.

I had a chance to talk to them all about what life was like from 1898 to 2008. One of the significant things she remembered was the difficulty of the Great Depression in the 1930s, when it was hard to find jobs and people had soup lines in the major cities and people were struggling to try to make ends meet.

Well, I think a lot of folks from the 1930s forward felt we would never again see these days because we put in place economic stabilizers and we put in place provisions in law that prohibited the kind of activities in the roaring 1920s that led us to the 1930s and the excess, the unbelievable debt, the greed that resulted in the economic collapse of the 1930s. So we put in place things such as the Glass-Steagall Act and other provisions that prevented banks from being engaged in real estate and securities and things that were inherently risky that caused major problems and collapse in the 1930s.

It is easy to forget lessons. The Congress over the years, Presidents over the years, and certainly the financial services industry moved ahead. I harken back to 1999, when something called the Financial Modernization Act was passed by the Congress. I said then it was a terrible thing to have done. It stripped apart the Glass-Steagall Act and essentially said you can create big bank holding companies, you can put firewalls in, you can merge real estate and securities with banking; it will all be fine. That was in 1999.

In fact, here is what I said during that debate on the floor of the Senate: I say, to people who own banks, if you want to gamble, go to Las Vegas. If you want to trade in derivatives, God bless you. Do it with your own money. Don't do it through deposits that are guaranteed by the American people.

When we passed the Financial Modernization Act—and I was one of eight Senators to vote no, I said this during debate: The bill will, in my judgment, raise the likelihood of future massive taxpayer bailouts. It will fuel the consolidation and mergers in the banking and financial services industry at the expense of customers, farm businesses, and others.

I regret I was right. Massive taxpayer bailouts. It didn't take quite a decade. It took 9 years. Now we see the largest proposed bailouts in the history of our country.

It was a time of self-regulation. Alan Greenspan, the head of the Federal Reserve Board, said the financial services industry will regulate itself. Well, not quite. Here is what Alan Greenspan said last month:

> I made a mistake in presuming that self interests of organizations, specifically banks and others, were best capable of protecting their own shareholders and their equity in the firms.

What an unbelievable mistake. Regulators that were willfully blind saying: You know what. We will pass the Financial Modernization Act allowing real estate, securities, and banking to come back together, forgetting the lessons of the Great Depression. Then, those who were hired to regulate decided self-regulation will work. We don't have to regulate. We will be willfully blind. So what happened? Well, the subprime loan scandal happened. The subprime loan scandal, of course, is at the root of this because it is most evident of the greed that exists in our economy in recent years. It resulted in bad mortgages spread all around this country and around the world. They were put into securities and sold up

through banks into hedge funds, into investment banks, and then all of a sudden it all turned sour.

Here is what the subprime loan scandal is all about. The biggest mortgage bank in America, just to show you what they were saying: Do you have less than perfect credit?

Do you have less than perfect credit? Do you have late mortgage payments? If you have been denied by other lenders, well, call us.

It is a new business model, apparently.

Are you a bad credit risk? Call us.

Countrywide said that. The CEO of Countrywide was given the Horatio Alger award—until it all collapsed.

Millennium Mortgage said:

Twelve months, no mortgage payments. That's right, we'll give you the money to make your first 12 payments if you call us in the next 7 days. We pay it for you. Our loan program will reduce your current monthly payment by 50 percent and allow you no payments for the first 12 months.

Zoom Credit, another mortgage company, said this:

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, a home loan, or a credit card. Even if your credit is in the tank, Zoom Credit is like money in the bank. Zoom Credit specializes in credit repair and debt consolidation, too. Bankruptcy, slow credit, no credit—who cares?

That is the bottomless pit of greed that resulted in massive numbers of mortgages being put out there in this country. Then the brokers were making an enormous amount of money. The mortgage bankers were making money and business fees, and then they securitized it, like they put sawdust in sausage in the old days—good loans and bad loans. They wrapped them into securities and chopped them up and sold them upstream. By the way, what they did, when they locked people into that kind of credit, those loans, they put in resets of higher interest rates in 3 years, where they would have known the homeowner wasn't going to be able to pay the monthly mortgage, and they put in prepayment penalties so they could not pay it off if they wanted to. That is how they made these attractive investments with high rates of return.

So the subprime loan scandal made everybody rich, like hogs in a trough grunting and shoving and making lots of money. Then one day it collapsed like a house of cards. The hedge funds that were investing in these—the credit default swaps that surrounded them with massive amounts of leverage, it all collapsed. When you create a house of cards, it is destined to collapse.

I mentioned hedge funds. Some of you may have seen the hearing held in the House a few days ago. The highest income earner in the hedge fund industry last year earned $3.7 billion.

So we create this crisis, get rid of the protections that existed from the Great Depression, abolish Glass-Steagall, and create a Financial Modernization Act, and say everything will be great. Then the regulators turn into willfully blind public servants, and the Chairman of the Federal Reserve says let them regulate themselves, and it all turns sour and the house of cards collapses.

What is happening now is, the Treasury Secretary came to the Congress and said: We face very serious problems. I must have $700 billion in 3 days and, if not, I believe there is going to be a financial catastrophe of sorts. So the Congress didn't do it in 3 days, or with a three-page bill, as the Treasury Secretary suggested. But the Congress passed a $700 billion bailout proposal. The Treasury Secretary said he wanted to do that because he wanted to purchase toxic assets from the balance sheets of the firms that invested in all of this. So he got the $700 billion. Then he said: I have changed my mind. That is not what I am going to do with the $700 billion. I want to purchase capital from banks to extend their credit or lending opportunities because the credit markets are frozen. He took $125 billion of the $700 billion and gave it to nine banks, some of whom didn't want it. But he gave it to them with no strings attached, no requirement that they expand lending or not use it to pay substantial bonuses. We have seen examples of bonuses, with $33 billion in bonuses on Wall Street in 1 year. So no-strings-attached money was given to nine banks with no requirement to expand lending, no requirement to cut back on dividends, and no requirement that they not provide hefty bonuses.

So the question is, is that going to inspire confidence out there someplace? Now we discover there has been no expansion of credit as a result of $125 billion of taxpayer money being put into those nine banks because it was no strings attached.

So the next piece that occurs is unemployment. We hear constantly—nearly 24 hours a day—about the financial sector. I agree the financial sector is unbelievably important to an economy such as ours, no question about that. How about the manufacturing sector, the working folks? Is that important?

About a week ago there was almost an apoplectic seizure over the notion that consumption was down. Consumers weren't consuming. It is not a surprise when there are more people out of work and people have less money that they are going to consume less. Does it concern anybody out there as they listen to Mr. Paulson say the $700 billion that Congress gave him is destined only to be used for the financial industry? Does it concern anybody out there that the consumers losing their jobs are not going to be able to consume? That is part of this economy as well.

Here is what we see on unemployment. The U.S. employment ranks have shrunk by 1.2 million in the first 10 months of this year—more than half of those jobs lost in the past 3 months alone. Last month, 240,000 jobs gone. About 800,000 workers exhausted their extended unemployment benefits, and more than 350,000 will exhaust theirs in November and December.

This chart shows what is happening in the industry in 2008. Manufacturing, down nearly a half million jobs. Construction, nearly 400,000 jobs. Business services, 361,000 jobs gone, vanished. These are hundreds of thousands. Behind every one is somebody coming home at night to his or her family and saying: Honey, I have lost my job. I don't know why. I did a good job. I worked there for 10 years, but I was told the job doesn't exist anymore.

This is about heartache by a lot of families. We experienced this before. Will Rogers, one of the interesting commentators on American life in the Great Depression, said:

The unemployed here ain't eating regular, but we'll get around to them as soon as everybody else gets fixed up OK.

I wanted to visit a moment about these issues and ask the question, is there going to be a laser-like focus on working people just as there has been on the financial services sector? There are a good many in the financial services sector that caused this wreck. They are the ones who steered this country into the ditch with all kinds of financial engineering and exotic new products that turned out to create a house of cards.

It seems to me that one of the things we ought to look at is creating protection with respect to these new exotic financial products that turned out to be enormously risky and dangerous to our economy. Some have talked about creating a financial products safety commission. We have a Consumer Product Safety Commission to worry about unsafe products. That turned out to have been a commission without much teeth because of the person who currently runs it. Perhaps we can have a financial products safety commission that would take a look at derivatives, credit default swaps, and the kind of sophisticated engineering going on on Wall Street which might produce a lot of money for some in the short term but pose a great deal of danger for this economy in the intermediate and long term. That all makes a lot of sense.

I just described the Treasury Secretary talking about the $700 billion he has now been provided, and that it is going to go to the financial service industry exclusively, he says. So it is not available to those who might be creating jobs out there or trying to avoid losing jobs. At the same time, the Treasury Secretary is saying: I have this pot of money, and we are going to use it to try to unfreeze the credit markets. The Treasury Department is saying they favor new bank mergers, which is exactly the last thing this country needs. We already have big banks that are too big to fail, which means if they are set to fail, we have to rescue them. Now the Treasury Department says the solution is bigger banks; let's have more mergers.

It is unbelievable to me that the Treasury Department would not have

learned a lesson. Instead, they are out there promoting more mergers. I guess those mergers will be promoted with the very money appropriated by the Congress.

Mr. President, the action we have to take now, it seems to me, is to try to find ways to establish some confidence in this country. I have said often that I used to teach a bit of economics in college, briefly. I was able to overcome it. Economics is not a science; it is psychology pumped up with helium, and you can call yourself an economist, but nobody really knows.

The economy in this country is not about dials, gauges, knobs, levers, and all of the things like investment tax credit, depreciation, M–1B, and all those things economists study. It is about confidence. When people are confident in the future, they do things that manifest that confidence. They buy a car, buy a new suit of clothes, take a trip, or maybe buy a house. They do the things that you do when you are confident about your future and your job. That is called economic expansion. It is not sophisticated. It is about how people view the future.

When they view the future with great alarm and less confidence, they do exactly the opposite. They defer the purchase or decide not to buy that suit of clothes or buy that car until next year, or we will not move into that other home or take that trip. That is the way an economy contracts. It is all about confidence.

The question is, what can provide that confidence now? One of the concerns I had about the original bailout was that it did nothing to provide a set of regulations that stops the very behavior that caused all of this. You have to learn from it. It seems to me you have to provide the regulation and say to the American people that we will not let this happen ever again.

So there are a number of things we have to do. Any recovery plan—and I think we need a recovery plan, and some call it a stimulus. I think we need a recovery plan that gives people a sense that we care about whether they have a job. For example, there is discussion about the automobile industry. I don't view this as three companies or one industry. I view it in the context of what do we do to deal with this economy, especially as it relates to jobs. We are told that industry relates to about 3 million to 5 million jobs. That is the connector all the way through the industry. If that is the case, what would it mean if 3 million to 5 million jobs are lost in the next few months, coming from America's manufacturing base? It seems to me it would be devastating to an economy already at great risk.

So the question is, when will we also ask whether we will be willing to support, through a recovery program, the kinds of jobs that we need in this country and willing to support a world-class manufacturing base without seeing that base decimated as the economy gets weaker? I don't think you will long remain a world economic power unless you have world-class manufacturing capabilities.

When we look at those sectors of the economy that have that capability and then decide, as some suggest, that it doesn't matter who loses their job or gets laid off, well, it sure does matter. It matters to me. If there is all this concern about the financial sector, what about the concern about the job-creating sector in the manufacturing area? I think we need to do a number of things. No. 1, I think we need a stimulus or a recovery plan that would make significant investments. I don't think you do that by just giving people checks. That is not the way forward, in my judgment. I think you do it by putting people to work on public works projects, by investing in roads, bridges, schools, and libraries—the infrastructure needs that have been so long deferred in this country.

All of those projects are ready across this country to be done. It will put people back to work, and give people confidence about the future.

Second, we ought to take action this week so that we say to the Treasury Secretary: If you are going to continue to move money out of that $700 billion pot, you have to put conditions on it. We don't want the American people to have to read that they are anteing up money so the Treasury Secretary can move it to Wall Street and Wall Street can then pay bonuses in December and January and they can use that in any way they want without conditions that require them to expand lending or any other conditions that ought to be attached to that money. We ought to insist those conditions exist.

Third, we ought to require regulations be put in place as soon as possible to prevent the kind of things that we have seen happen that caused this financial wreck in the first place. Those regulations do not now exist. I know the former Fed Chairman Greenspan said he believed in self-regulation. He sure got a bellyful of self-regulation, and it completely collapsed this economy. We need to put in place a regulatory approach that gives people confidence that this kind of thing is not going to happen again.

We also ought to say to the Treasury Department: Stop the nonsense about more bank mergers. It is the last thing we need. Nor should we want the public money to be used to accommodate more bank mergers. I know some have celebrated the news of bank mergers. Not me. I think it weakens this country, not strengthen it.

I also believe we ought to create immediately an investigative task force of sorts that will begin to investigate and prosecute, if necessary, criminal behavior that was engaged in some of the practices that I described earlier.

All of that, I think, is necessary. I believe if and when we begin doing those kinds of things, we will give, once again, the American people the confidence about the future that they must have in order for this economy to get back on track.

There is, I know, a lot of discussion about what went wrong, and some might say: You know what, that is pretty irrelevant. It is not irrelevant at all. We are destined to repeat mistakes unless we understand the mistakes we have made. The route out of this circumstance where there is great economic peril to this country and its future, the route ahead, in my judgment, must be an active, aggressive set of actions by the Congress, working with this President and the new President, to understand the urgency of the things I have described.

Mr. President, I yield the floor. 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. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ECONOMIC CRISIS

Mr. INHOFE. Mr. President, given the recent news about Secretary Paulson's execution of the TARP program, I firmly believe action is required by Congress. This morning, I introduced S. 3683. That is legislation that would do two things. It would freeze remaining money of the first $300 billion that has not already been expended and, secondly, it would change the process by which Secretary Paulson would access the second $350 billion.

When Secretary Paulson first came to the Senate and explained his plan, it was on a conference call. I happened to be in on that conference call. It was September 19. At that time, he was talking about the crisis that is upon us, that we have to do something, we have to do something big. It has to be $700 billion. It has to be done right now. The only way to do it is to buy troubled assets.

At that time, I asked some questions. One question was: If there are assets that are going to be bought, what is the criteria that will be used to determine which assets should be bought? There was not an answer to that question.

The second question was: Which institutions that are holding these assets would be the ones that would be eligible for this buyout? There were no answers to that question either.

That was on a Friday. Then as the next few days went by, we had several conversations. I didn't have any personal conversation with him except in one conference lunch, and that is, Is this the only way to do it? Yes, it is going to be buying out troubled assets. Still the answers were not there to those questions.

In my statement opposing—I voted against the Paulson plan last month—

in my statement opposing it, I laid out three primary reasons I voted no. The first is that I was not convinced that the asset purchase program was the right way to do this. Apparently, he didn't think so either because that is not what he did.

The second is that it would lead to increased lobbying for handouts and bailouts by any industry facing financial trouble. Now we are seeing that. We are seeing the auto industry coming in, some insurance companies and others coming in. It is kind of a new way of life: If you are not successful, don't worry about it because you have the Federal Government there to help you.

The third is that we were handing over, as I read it—and I don't blame Secretary Paulson for this because I suppose if this is what he wanted, somebody else was willing to put it together. He was not the one, I suppose, who drafted it. But it gave one person, in this case Secretary Paulson, the sole authority over $700 billion.

I have a hard time with big numbers, putting them into perspective that is understandable. But it is my understanding that there are 139 million American families who file tax returns. If you do your math, this would be $5,000 per family. We are talking about any family out there who files taxes. This is a huge thing. So it does require extraordinary thought in addressing it.

As I stated at the time, my vote was against the Paulson plan, not against taking action to provide necessary confidence in financial markets. I do know and agree that there is a problem out there. I am not convinced that is the way to address it.

We critics were right. On October 14, in a significant shift, Treasury outlined a plan to directly purchase equity stakes in major financial institutions. The Wall Street Journal noted that "critics . . . say Treasury should have formulated a comprehensive plan earlier in the crisis." This past week, Secretary Paulson announced that he has completed a remarkable about-face, as summarized by the November 13 Investors Business Daily front-page headline which read: "Major Reversal, Treasury Won't Buy Bad Mortgage Debt." This is a complete reversal. Why did Paulson reverse course? Last Thursday's Los Angeles Times provides the answer:

> Treasury Secretary Henry M. Paulson's decision to abandon plans to buy troubled bank assets shows that he has come to two conclusions about what was once the chief focus of the government's $700-billion bailout: The first is that it wouldn't work.

That is kind of full circle. This is what we thought at the time, and this is where we are today. I know many have serious concerns about how Secretary Paulson has executed the financial rescue program, and I share those concerns. Congress completely abdicated its responsibility by signing a truly blank check.

If we look at this and if we read it, there is nothing in there that says we have to do this. Never before in the history of America has anyone—elected or, in this case, unelected—been given a blank check or a check in the amount of $700 billion to do with as he wishes. It has never happened before. It is unprecedented. But that is exactly what happened.

Now we are faced with a lameduck session. We can do something about resolving this problem now, and that is supporting and passing the legislation I introduced this morning. It is officially introduced. I believe I requested it be sent to the Senate Banking Committee. I am sure there are several there who want to resolve this problem before we recess.

My concern is this: The way it is set up by law, there is $350 billion already out there, and he has been spending that money. Frankly, I don't know how much has already been spent. There was an article in the Wall Street Journal a couple of days ago that said all but $60 billion has been spent. That may be true; it may not be true. I have no way of knowing. That alone is enough concern that a senior Member of the Senate doesn't even know how much of the taxpayers' money has been spent or what percentage of the $350 billion has been spent.

We have a second $350 billion to make up the $700 billion that will come, but it is rather nebulous, it is rather vague as to how that would be put into the hands of Secretary Paulson. My interpretation is that he would indicate, yes, we do need to have the second $350 billion, and if there was not a resolution to stop that, to preclude that from happening, then he would be able to do that.

My concern is that we will stall around and do nothing. We will adjourn and not come back until January. That would give him the opportunity of stating his intention, what he wants to do, and then have 15 days go by when we are not even in session. I think the only way to do this is to do it the way we are planning to do it now; that is, to bite the bullet.

I know it is difficult. It is difficult for members of any body, particularly the Senate. This legislation, as I recall, passed 75 to 24. Those of us who are among the 24, who voted against it, are fine in terms of doing something such as this, but at least a third of those who voted for it would have to say he didn't do what he said he would do, he didn't buy the troubled assets. Therefore, that gives me reason to change. I can't help but think that at least half or even more of those who voted for this legislation would find themselves in that position. When we look at where we are today and see that there is something that can be done, I think it is necessary that we go ahead and do it. One of the things that is going on now—and this bothers me a little bit—is that there is an argument going on right now between some of the committees—the Finance Committee and the Banking Committee—as to who has jurisdiction. Then there is a debate as to whether a special inspector general should be appointed, and they have talked about some names. If they do that, confirmation probably would not take place for another couple months. By that time, all the money is gone. So we are sitting around twiddling our thumbs doing nothing. Our last shot to do something is to do something while we are here. This lameduck session, I suspect, is only going to last 3 or 4 days. So we have that length of time to stop this from happening.

If the American people are concerned about this, concerned as I am and as many Members of this body are, that this was done without the consideration it should have had, this amount of money, $700 billion is out there now in the hands of one person to do with as he wishes, that is not good Government and it needs to be stopped. We can stop it by the passage of the legislation I introduced this morning.

Again, it will do only two things. It will preclude and freeze any further expenditure by the Secretary of the Treasury and, second, it would preclude the second $350 billion from coming up for consideration. In other words, that would stay in the Treasury. I think this is the only chance we have to get it done. We better do it now or it is going to be too late and we will be out of here and it will be history by the time we come back at the end of January.

With that happy note, 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. WEBB. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CARDIN). Without objection, it is so ordered. The Senator from Virginia is recognized.

ATROPHY OF THE BALANCE OF POWERS

Mr. WEBB. Mr. President, in the 2 years since I have been privileged to be in this body, I have spoken frequently about my concerns with respect to the balance of power between the executive branch and the legislative branch and the atrophy of the powers and the influence of the Congress. There are two issues that are before us this week that I think illuminate the dangers of that atrophy.

The first is in respect to the powers we gave to the Secretary of Treasury in our vote at the beginning of October, before we went into recess, as he addressed the issues of the bailout. Many Senators, including myself, wrote letters of concern immediately after this bailout was proposed, noting that it was unprecedented for one individual in the executive branch of Government to be given the broad discretion the present Secretary of the Treasury has been given.

I voted to support this bailout, as did most of my colleagues, as we were assured, not only by members of the administration, but also with a great deal of hesitation by members of our own party in the Senate, that this was an essential act to avert an international calamity in the financial markets. We were told by the Secretary of the Treasury that we needed to reinforce the good will and the concerns people had by allowing him to take certain actions. We ensured oversight over the Secretary of the Treasury, but he still retained the total discretion that has been used over the past several weeks.

At the same time, we all know now—it has been said several times already this afternoon—the decisions that were made, as to where this money has been going, were not in line with the reassurances that were given this body when the legislation was brought forward. There has been a great deal of inconsistency coming from the Secretary of Treasury, and it has created a mood of unpredictability that we have seen reflected in the markets and in the confidence of investors.

I would agree with the concept that was recently put forward by the Senator from Oklahoma about slowing down the amount of money that is available to be spent under this bailout. I also would propose, in examining legislation to that effect, that we as a body revisit the whole idea of giving this kind of power to one individual in the executive branch.

There are plenty of precedents in history which create a small body of honest brokers, perhaps three individuals who collectively can make decisions for the good of the country and who would not be burdened by conflict of interests because of their own background, either real or imagined, or the burden that goes with the discretion of one individual. I hope to place something to that effect before this body relatively soon. I hope other Members of the Congress will consider that idea as well.

The second issue with respect to the abrogation of power by the legislative branch to the executive branch concerns the relationship that we are now about to finalize with Iraq. We have seen it reported in the media today that the Iraqi Cabinet has given a near unanimous agreement to a strategic framework agreement—which is very little discussed, and a status of forces agreement—which has been much debated, that ostensibly would define the future relationship between the United States and Iraq.

I find it more than ironic, and I have mentioned it several times on this floor, that the Congress has not been invited to participate in this process. The Iraqi Cabinet is going to present this agreement to the Iraqi Parliament for a vote. The Congress of the United States is hardly even getting a look.

If you turn to article II, section 2 of the U.S. Constitution, it says the President:

> . . . shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur. . . .

The question is, Is this a treaty? It is going to define the long-term relationship between the United States and Iraq in a situation where we are going to have military bases of some sort in Iraq and a security relationship with Iraq. That sounds quite a bit like a treaty to me.

The administration has been claiming this is simply an executive agreement and, as a result, the Secretary of State can sign this; the Congress can be consulted but does not have to have a vote. But let us remember, at the end of this year, on December 31, the legal authority for the United States to be operating in Iraq ends under international law with the expiration of the U.N. mandate. So under what authority, legal authority, will we be operating in Iraq? An executive agreement is only constitutional when it is implementing a law. So what law or constitutional authority will this executive agreement be implementing?

The members of the administration, when I raised this issue nearly 8 months ago, claimed that the 2002 authorization to go to war in Iraq was their legal authorization to negotiate an executive agreement looking to the future relationships in Iraq. I have strong questions about that. First, if the 2002 authorization to go to war would be good in terms of an executive agreement to define our future relationship, then why did we even need the U.N. mandate in the first place? The second is, the 2002 authorization to go to war in Iraq took place at a time when the present Government of Iraq did not even exist.

So I would state my strong belief, again, that the Congress needs to assert its constitutional authority on this matter. The Congress needs to concur with the strategic framework agreement in order for us as a nation under the Constitution to properly define our relationship with a government and a country where we are going to have military forces in place, and where we are going to have security guarantees.

In that regard, I conclude by stating my strong hope that the incoming administration, under President-elect Obama, will, early on, take a comprehensive diplomatic approach to all the issues that affect the United States in that particularly troublesome spot in the world. We should be fostering the right kind of diplomatic environment with other countries such as Russia and China that have interests in this region. We should be exploring ways to formally and aggressively explore our relationships with countries such as Iran. We need to put the whole issue of Afghanistan, Pakistan, Iraq, and other countries in the Middle East on the table early on and forcibly. Reality indicates and history proves that the longer the new administration waits, the more strongly they are going to be embedded in the policies that have preceded them, and the more difficult it is going to be to put a comprehensive approach to the future into place. I strongly hope this administration, at an early time, will take a comprehensive approach to this region.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KYL. I ask unanimous consent that the order for the quorum call be rescinded.

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

AUTOMAKER BAILOUT

Mr. KYL. Mr. President, I wish to address a matter that is supposedly before us, although to my knowledge there is not yet a bill on the floor that we can read and, therefore, debate. But I think the general concept of some kind of a so-called bailout for the auto companies is the reason why we have come back to Washington in this so-called lameduck session. I wish to address that and talk about the best way forward to assist the companies involved as opposed to what I understand the concept of this punitive legislation to be.

Let me begin by saying that ordinarily in the Congress we have hearings. We develop legislation on big matters. We try to do it in a bipartisan way. We then mark up the bill in committee by discussing it, amending it, rewriting it. Then it comes to the floor of the Senate where we debate it and can amend it again and ultimately pass it to the other body.

That is not what is happening today. We are told there is going to be legislation presented at some point to provide $25 billion to the three U.S. automakers. Beyond that, we know nothing. What I want to do is talk about the concept of it, and later we can talk about how the bill will actually get here, whether we can seek to amend it, and whatever else might be appropriate to try to conclude work on this matter.

Obviously, everyone is hurting these days. The car companies aren't the only folks who are hurting. Every family is hurting, especially as we have leveraged our debts. We have home mortgage debt, credit card debt, perhaps car loan debt. All of us are tightening our belts, because we appreciate the fact we have to get that debt down. That is happening in the business sector as well. One of the reasons Congress passed the so-called TARP legislation, the stabilization package that was designed to assist financial institutions, was because in some respects the financial institutions are the blood that courses through the entire economy. They provide the cash; in many cases, the credit. Unfortunately, our country runs on credit. You don't buy anything

these days without a credit card. You certainly don't buy anything big, such as a car or refrigerator, without a credit card. As a result, the question was whether banks were going to stop lending to consumers and businesses because the assets on their books were of such dubious value that they had to keep all the cash they could accumulate just to meet the law's requirements for their reserves.

What the administration decided originally was that the $700 billion could be used to buy these troubled assets, get them off of the banks' balance sheets and, by giving them money to buy them, the banks would then have money to loan to a car dealer or the car dealer to loan to the car purchaser and the like. Ultimately, it was decided that the economy was in such a sorry state that we had to get the money infused directly into the banks and didn't have time to set up the rather complicated procedure of buying these assets. Instead, the loans currently being made are going directly to the banks and other financial institutions. Of course, the hope is that money will then be lent out to us and to businesses so that the blood which keeps the economy going, called cash, can continue to enable us to buy things.

There is some indication that is beginning to happen, although the process takes a while. There are many folks in the economy who get hurt when people don't buy as much, whether it is from lack of credit or trying to tighten their belts. I think of one company that laid off 10,000 people in one small town in Ohio. The company is called DHL. I think of Circuit City which went bankrupt recently. A lot of folks are worried about Christmas season and consumers not buying. There are all kinds of folks who are in trouble economically, businesses and families. The question is whether we should respond to those with the largest voice in Washington, DC. Certainly the three big automakers have a big voice here and a constituency that would like to make their case that they should be bailed out and that is where we should draw the line.

I have a hard time with that. Not because I don't like the car companies. I readily buy cars from them. I think it is great that they build the kind of cars I like to buy. I am not faulting them for the decisions they have been making in what they manufacture. The fact is, they are in trouble pretty much for reasons that relate to their own decisions rather than a lot of consumers out there who have gotten caught up in this credit crunch, in effect through no fault of their own, except perhaps going into debt more than they should have. The car companies have made some contracts with the United Auto Workers labor union that are literally dragging them down. It is like asking somebody to swim with a 50-pound weight around their neck. It is no wonder they can't meet their obligations under the contracts and need taxpayer assistance. But the question is whether an average family or small business should be asked to cough up the money to transfer to an auto company that has made these deals with the union or whether the car company should find an alternative way of dealing with it.

Here is the order of magnitude I am talking about. According to the Bureau of Labor Statistics, the average hourly wage cost for the big three auto manufacturers is $73 an hour. The average for the Japanese automakers building cars in the United States is between $45 and $48—substantially less. For the average manufacturing company in the country or average company, it is about $28.48. So you can see that these legacy costs of the big auto companies are like the 50-pound weight dragging them under. It does no good for taxpayers to pour $25 billion into the car companies and find a year later that money has been spent and yet nothing has changed to diminish their obligations. Where are they going to get the next $25 billion and then $25 billion after that?

The reality is, they have to change the way they are doing business in order to warrant asking taxpayers for anything. This is where the alternatives come into play. There is already a law on the books that permits companies in financial straits such as this to reorganize their business, get rid of much of their debt obligation and start over again. You are required to slim down, to be sure, in order to be more competitive. It is called reorganization under chapter 11, sometimes chapter 11 protection. It falls under the Bankruptcy Code. When this is accomplished, the contracts that the car companies have made are renegotiated in such a way that the company can show it has the ability to emerge and make money, that the contracts are not going to continue to weigh them down. That would be the benefit of taking this reorganization.

Some are more intent on preserving the status quo than being able to compete because they say things such as: Well, restructuring the business might mean there would be fewer employees. There might well be. It might be 10 percent or maybe even 20 percent fewer employees, if that is what it takes to compete successfully. There may be a number of dealerships cut. Maybe 10 or 15 percent of the dealerships will have to go away. If that is what it takes for them to compete with the Japanese automakers, then that is what should be done. We should not say those legacy costs or those built-in costs of operation should be retained and then ask the taxpayers to throw in $25 billion to maintain something that isn't working. It is true that these costs represent future obligations as well as current and so they are going to continue unless they are wiped out by the reorganization that is provided by chapter 11.

Some people say: Well, what they need is better management, and we here in Washington know how to manage them better. That is the last thing we want, for Congress or folks in Washington to tell them how to do their business. Under reorganization, a committee of experts assists them in designing a business plan. They have 18 months to develop a plan to move forward. They have breathing room. Basically all of the obligations are stayed. They have the opportunity to fix what is wrong, plan for the future, and then implement that plan. We wouldn't have any of that if we simply gave them the $25 billion. They wouldn't be protected at all from any of the obligations that they have either on an ongoing basis or their future obligations.

In all chapter 11 reorganizations, prefiling debts become unenforceable except to the extent that they are incorporated into the reorganization plan. GM has $40 billion in long-term debt; Ford about $136 billion. A reorganization plan, a business plan would be set forth that provides how each of those obligations is treated and, if they are too much to enable the company to go forward, then they are reduced accordingly.

A taxpayer bailout would provide none of that protection. Protecting the workers would still require negotiation with the labor unions, but some of the amount of those legacy costs could be reduced in the process. I mentioned the fact that there might be fewer dealerships. They might decide to reduce the number of brands. They would be doing so under the protection of chapter 11 rather than the current situation. A taxpayer bailout wouldn't give them any protection from State franchising laws that make it very costly to reduce the number of brands and dealerships. I have some information that when GM eliminated the Oldsmobile brand, it reportedly cost $1 billion, and there are still litigation proceedings about whether they can do that with their dealerships.

Some are concerned about whether they could receive financing if they took chapter 11, the so-called debtor in possession financing. This is an area where the Federal Government might provide some assistance. The administration, as a matter of fact, has been talking about such assistance. But a pure taxpayer bailout wouldn't guarantee any structural reforms or provide the possibility of debtor-in-protection kind of financing. It would, in fact, through the reorganization, at least provide taxpayers with the assurance that they could get repaid if they did provide some of this money as opposed to the current proposed bailout which has absolutely no guarantee that taxpayers would receive any of their money back.

A final two quick points I wish to make. There is an argument by the car companies of who would buy a car from a company that is in chapter 11 protection. The answer is, probably the same people who are buying cars today. If I

drive down Camelback Road in Phoenix, where we have a lot of car dealerships, 6 months from now and some of those companies have asked for chapter 11 protection, I guarantee you, I will not know which ones. They will all have the same bright lights, the same eager salesmen ready to sell me something. With reorganization, you don't go out of business.

One of the myths is that this would put you out of business. If you take bankruptcy under chapter 7, you do go out of business. That is not what chapter 11 protection is at all. In fact, you are able to reorganize, and that is precisely why people would continue to buy the cars.

Not everybody is going to lose their job through reorganization. I doubt that it would be more than a fraction of the people who would lose their jobs. Doug Baird, a bankruptcy professor at the University of Chicago, recently said, in response to the number 3 million which people have been bandying about:

> This three million figure is laughable . . . modern bankruptcy law is designed to protect against that.

The bottom line is, there is a law that provides protection, breathing room, and an ability to get rid of the kind of debts burdening these companies. If all we do instead is throw $25 billion at the problem, none of this protection comes into play. None of the ability to renegotiate what is dragging them down now would occur. It would simply literally be throwing good money after bad without a justification of why these companies, as opposed to many other companies in the country, were to receive that help.

The money has to come from somewhere. It has to come from people who are working hard to make a go of it themselves. So we have to ask the kind of hard questions like this before we ask our fellow citizens to cough up the money for this kind of a bailout. I hope we will be able to do that during the debate on this legislation, which I hope we will see soon, assuming we are going to be deciding whether to vote on it this week.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

AMERICA: A WORK IN PROGRESS

Mr. SALAZAR. Mr. President, I rise today to celebrate this historic time in the history of the United States of America.

I give my accolades to President-elect Obama and to Vice President-elect BIDEN for their transformative and historic campaign and election.

I also recognize Senator JOHN MCCAIN as a friend and for his extraordinary contributions to our Nation. I am certain Senator MCCAIN will continue to serve as a force for good on the floor of this Chamber, as he has for so many years. I look forward to working with him.

Just a few short years ago, President-elect Barack Obama arrived in the Senate in the 109th Congress as an unlikely occupant from the Illinois State Senate.

President-elect Obama's story is an American story. The son of a mother from Kansas and a father from Kenya, he learned the values of hard work and service to others. He studied at some of our Nation's finest schools but chose to apply his immeasurable talents to serving the people: a community organizer, an Illinois State senator, a U.S. Senator, and soon to be the President of these United States of America.

President-elect Obama is, in fact, the personification of the American dream and the idea of what it is to be an American. His election is also a reminder of just how far our country has come.

America has always been a work in progress—an idea that generation after generation has worked to perfect. We must never forget that for over 250 years on this continent, and through the first century of this Nation, we lived in a society where slavery was allowed.

It took the bloodiest war of our country's history—the Civil War—where over a half million Americans were killed on our own soil, to bring about an end to slavery and to usher in the 13th, 14th, and 15th amendments of our Constitution. These three amendments, in my view, are a significant part of the bedrock proposition that all constitutional liberties are endowed upon all Americans without exception.

Unfortunately, neither the Civil War nor these amendments brought an end to the division or discrimination that were a part of our Nation's past.

In 1896, in Plessy v. Ferguson, our U.S. Supreme Court sanctioned a system of segregation under the law. The Court upheld an 1890 Louisiana law which mandated racially segregated but equal railroad carriages. It was a dark period in our Nation's history.

''Jim Crow'' laws extended across the South. In the Southwest, Mexican Americans were also systematically denied access to ''White Only'' restrooms and other public places. In the South, the signs read: ''No Blacks Allowed.'' In the Southwest in many places the signs read: ''No Mexicans Allowed.''

There were, however, many voices who knew that an America divided by race was an America which could not stand. In the now infamous Plessy case, Justice Harlan, in the dissent to that case that sanctioned segregation under the laws, said the following:

> The destinies of the races, in this country, are indissolubly linked together and the interests of both require that the common government law shall not permit the seeds of race hate to be planted under the sanction of law.

It took more than a half century of an America in progress to revisit its decision in Plessy v. Ferguson and to begin achieving the vision of Justice Harlan. It was not until 1920 that our Constitution guaranteed the right to vote to women. In fact, for the first several hundred years women were not entitled to vote in the United States of America. It was not until 1954, in Brown v. Board of Education, that the Supreme Court, under the able leadership of Chief Justice Earl Warren, struck down the ''separate but equal'' doctrine as unconstitutional under the 14th amendment. Thurgood Marshall, another American hero of ours who gave his life for equal opportunity for all Americans, argued that case before the U.S. Supreme Court.

But even after the 1954 decision in Brown v. Board of Education, there was much more work to do. The 15th amendment, ratified in 1870, guaranteed all citizens the right to vote regardless of race. But almost a century later—in 1965—only a very small percentage of African Americans were registered to vote in States such as Mississippi and Alabama.

In 1965, for example, in Mississippi, only 6.7 percent—6.7 percent—of African Americans were registered to vote. In Alabama, less than 20 percent of African Americans were registered to vote.

To prevent people from voting, there were literacy tests, poll taxes, and language barriers, not to mention voter intimidation and harassment, which occurred in those days in the 1960s.

But the 1960s also brought change to America and ensured that we continued as an America in progress. In 1964, President Lyndon Johnson signed the Civil Rights Act. In signing that law, he said:

> We believe that all men are created equal, yet many are denied equal treatment. We believe that all men have certain unalienable rights, yet many Americans do not enjoy those rights. We believe that all men are entitled to the blessings of liberty, yet millions are being deprived of those blessings, not because of their own failures, but because of color of the skin.

Our work, President Johnson said that day, was not done. He was right.

In early 1965, Jimmy Lee Jackson was shot by a State trooper during a civil rights demonstration.

On March 7, in Selma, AL, more than 500 nonviolent civil rights marchers attempting a 54-mile march to the State capital to call for voting rights were confronted by an aggressive assault by authorities. That day, still known and remembered as Bloody Sunday, stirred a nation to do what it knew was right.

President Johnson, in those days, called for the country to summon its better angels. He said:

> At times history and fate meet at a single time in a single place to shape a turning point in man's unending search for freedom. So it was at Lexington and Concord. So it was a century ago at Appomattox. So it was last week in Selma, Alabama.

President Johnson continued:

> This time, on this issue, there must be no delay, no hesitation and no compromise with our purpose. We cannot, we must not, refuse to protect the right of every American to

vote in every election that he may desire to participate in.

On August 6, 1965, President Lyndon Johnson signed the landmark legislation—the Voting Rights Act—that opened the doors of democracy to all Americans.

In our country's history, yes, we have stumbled. But yet at each stumble, leaders such as Dr. Martin Luther King, Rosa Parks, and Cesar Chavez, and many others, have encouraged us to get up, to stand up, to move America forward.

We, like them, believe America truly is an America in progress. Today, thanks in large measure to their work, we are at the dawn of a new America, an era in which doors of democracy and opportunity are open to all Americans.

We are waiting today for the inauguration of the first African-American President in the history of the United States. That in itself is history. But what is also historic about this reality is that as President he will be President for all 325 million people of America.

In his election, I think you see the statement that is truly the American ideal: that no matter who you are, no matter where you are from, anything is possible in this America of ours. That is what makes us a great nation. That is what we have seen as an America in progress which has brought us to this point in our Nation's history.

We have much work to do ahead. But I am very confident that America's best days are still ahead, as we continue to be the beacon of hope and opportunity and human possibilities for the entire globe.

Mr. President, I thank you and yield the floor.

The PRESIDING OFFICER. The Senator from Maine is recognized.

THANKING THE PEOPLE OF MAINE

Ms. COLLINS. Mr. President, since this is the first time I have spoken on the Senate floor since the elections have been completed, let me say I am very honored the people of Maine have chosen me to represent them in the Senate for another 6 years. It is a great honor and privilege to represent the great State of Maine, and I want to begin my remarks this afternoon by acknowledging that.

FINANCIAL REGULATION REFORM ACT OF 2008

Ms. COLLINS. Mr. President, throughout the past few months, I have had the opportunity to talk to literally thousands of Mainers, and the No. 1 issue that has been on their mind is the financial crisis, the poor state of the economy.

Public confidence in our Nation's financial system has been shaken badly by the extent, the scope, and the rapidity of the financial meltdown. As a former financial regulator in the State of Maine, a position I held for 5 years, I have become convinced that significant regulatory reforms are required to restore public confidence and to ensure that the absence of regulation does not allow a crisis like the one we are engulfed in now to happen ever again.

Therefore, today I will introduce a bill that would close two dangerous gaps in the Government's system for overseeing financial markets. The bill would also establish a formal process for developing additional, comprehensive reforms of our financial regulatory system.

Our economy has struggled with a credit crisis spawned by mortgage defaults in the subprime mortgage market and their ripple effects throughout markets for mortgage-backed securities. Complex financial instruments that were poorly understood, not transparent, and, in many cases, not regulated have exacerbated the crisis.

What was once thought of as America's mortgage crisis has metastasized into a nightmare of converging forces that could lead to a deep and global recession. As we have so painfully learned, financial markets are truly global, and the hopes and fears that affect these markets move with the speed of light through electronic communications and electronic trading.

The consequences in our country have been dire: falling home prices, rising foreclosure rates, plunging consumer sales, increased unemployment, a tremendous erosion of retirement savings, and billions of dollars for emergency stabilization programs. We are even looking at a Federal deficit that could reach the extraordinary figure of $1 trillion.

The Maine lobster industry, the paradigm of hardy, small town entrepreneurship, has also felt the blows of the crisis in high finance and a terrible economy. It is not only that consumers have reacted by reducing their purchases of lobsters—although that is one factor—it is also that the lobster industry is an innocent victim of the global financial crisis.

It is extraordinary that the global financial crisis is putting the very existence of Maine's centuries-old lobster industry in jeopardy.

Here is what happened. In addition to plunging demand, many lobstermen in Maine send their lobsters to Canadian processors. Well, it turns out that those Canadian processors are, in turn, financed largely by financial institutions in Iceland—in Iceland.

When the Iceland financial system collapsed, credit was terminated to the Canadian processors, which, in turn, stopped processing Maine lobster. Who would have guessed that the failures of banks in Iceland would claim as victims the lobstermen in the State of Maine? But that shows how integrated our financial system is worldwide. A lobster dealer in my State said:

> This is as devastating to the State of Maine as Hurricane Katrina washing away all the boats and blowing down all the wharves.

Nor is the fallout from the financial crisis confined to our shores. This past weekend, leaders of the G–20 nations who represent 85 percent of the world's economic activity met in Washington to address this crisis. Clearly, we need a coordinated global response to the downturn, but we also must take action to right our own ship. As we close out the 110th Congress and prepare to reconvene for the 111th, we must consider how to protect our financial system from the shortfalls in regulation, reporting, and transparency that helped lay the groundwork for a sudden and traumatic onslaught of bad economic news.

Consider that less than a year ago, the American financial system boasted five huge investment bank holding companies: Bear Stearns, Lehman Brothers, Merrill Lynch, Goldman Sachs, and Morgan Stanley. Today, those institutions no longer exist as we had long known them. They have failed or are being acquired or, as Goldman Sachs and Morgan Stanley demonstrate, have converted themselves to bank holding companies subject to Federal Reserve supervision. What is astonishing, however, is that current Federal law assigns no agency responsibility for supervising these enormous institutions, even though experience has shown their safety and soundness could have vast implications for the financial system and the broader economy. Think about that. Your local credit union, your small community bank is subject to safety and soundness regulations, but these enormous Wall Street financial institutions that arguably have a far greater impact on our economy have not been subject to safety and soundness regulations. Instead, they participated in a completely voluntary program of the Securities and Exchange Commission—a program that was later deemed as inadequate by the SEC Chairman as he canceled it this fall.

My legislation would apply safety and soundness regulation to investment bank holding companies by assigning the Federal Reserve this responsibility. Although the five big firms have left the field, this is a necessary step. Any new investment bank holding company that might be organized would fall into the same regulatory void as its predecessors. The SEC would be able to regulate its broker-dealer operations, but no Federal agency would have the explicit authority to examine its operations for safety and soundness or for systemic risk. The collapses at Bear Stearns and Lehman Brothers illustrate the tremendous hardship that can result under the recent voluntary system.

Federal financial officials have also pointed to a ''massive hole'' in their ability to monitor and manage systemic risk. That is the rapidly expanded markets in private, over-the-counter contracts known as ''credit default swaps.'' These are contracts that involve paying for protection against

default, loss of value, or another credit event that might affect a financial asset such as a government or corporate bond or a mortgage-backed security.

As government officials and financial experts have pointed out, there is nothing perhaps inherently wrong with such contracts. The problem, however, is that credit default swaps are not traded on regulated exchanges, are not officially reported to our Nation's financial regulators, and are not even subject to recordkeeping requirements. Some are visible to bank examiners who may take them into account when considering a bank's risk exposure and others are summarized in voluntary publications, but that is only a partial glimpse into a market whose total national value has been estimated as high as $60 trillion.

As the cases of Lehman Brothers and AIG insurance holding company showed this year, serious problems can arise when a major credit event suddenly reveals that massive claims for collateral posting or payment are converging on credit default swap parties who cannot meet their obligations. But under the current system, it is often impossible for regulators and even market participants to know in advance how all the tangled webs of contract commitments overlap and affect any particular party. This leaves regulators unable to take action against excessive debt, inadequate reserves, or other threats.

For example, Bear Stearns had a financial leverage ratio of 35 to 1. In other words, the firm borrowed $35 for every dollar of its own money. That level of debt financing can generate fabulous profits for shareholders and mind-boggling bonuses for top executives when investments flourish but can whipsaw disastrously if they drop in value. If your equity capital is $1 and you borrow $35 more to buy an asset worth $36 and the value of that asset declines by only $2, to $34, you are insolvent.

Although credit default swaps are contracts rather than asset purchases, they can also overwhelm sellers and leave buyers unable to get payment for the protection they thought they had secured. Excessive leverage and excessive risk exposure can combine to ruin even giants such as Lehman Brothers and AIG.

The fallout from such collapses extends far beyond the firms' investors, employers, and business partners—and this is the important point. It would be one thing if the bad decisions made by Wall Street firms only affected those firms, but that is not the case, as we have learned all too well. People in Maine and other Main Street Americans have felt shock and despair in reviewing the statements for their 401(k) accounts. For these people, the fact of their loss is far more important than its cause. But for us who are assigned the role of policymakers, understanding the cause of the problem is critical if we are to prevent its recurrence.

We now know that a fundamental source of trouble was the lack of effective oversight, of regulation for safety and soundness for the highly leveraged investment bank holding companies. And we know that the second problem is the lack of transparency and coordination in the enormous market for credit default swaps.

My bill would address the second problem in two ways. First, it sets a reporting requirement. For any U.S. entity that buys or sells a credit default swap contract, it must report that fact to the Commodity Futures Trading Commission. This simple step will go a long way to increasing the transparency and allowing us to identify potential risks. Second, my bill would add the force of law to the clearinghouse initiative being jointly pursued by the Federal Reserve Bank of New York, the SEC, and the CFTC.

The clearinghouse, however, should be codified. We can't rely on a voluntary arrangement. The SEC's top risk-management official recommends such a statutory mandate to ensure participation, and that is what my bill would do. As two NYU finance professors wrote in a recent essay for Forbes: It is time to ''lift the veil'' from these derivatives with more reporting and with centralized clearing operations.

Correcting those gaps are important steps toward preventing repetition of the painful financial collapses we have seen. But we must also look in the long term at comprehensive financial reform. The Emergency Economic Stabilization Act that was signed into law last month calls for two reports to advance that goal. One is due in January and one in April. Those will be useful, but I believe our deliberations would benefit from having the advice not only of a small panel on a short deadline and of the new administration but also from a special commission modeled on the one created to examine the terrorist attacks of September 11, 2001. Fortunately, a plan for such a commission exists. It has been developed by my colleagues, Senator LIEBERMAN and Senator CANTWELL, and that has been incorporated into my bill as well.

I believe this issue of restoring confidence to our financial markets through a strong and effective regulatory reform bill is so critical to our Nation—critical for promoting growth and job creation, for protecting retirement savings and public services, for restoring credit to households and small businesses, and for promoting transparency and accountability in financial markets—that we should focus on it in a special session in December.

But regardless of the decisions made by our leadership on that issue, I hope the introduction of the Financial Regulation Reform Act of 2008 will prompt a much-needed debate on the fundamental changes needed to modernize and strengthen our system for monitoring and regulating the immensely complicated financial markets that supply the lifeblood for growth for our country.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. STABENOW). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

VETERANS DAY

Mr. KYL. Madam Presdient, November 11 marked the 54th anniversary of Veterans Day. It is an occasion when we must remember the great debt that we owe veterans and members of the armed services who fight to maintain our freedom around the world. Throughout history, our soldiers have risked their lives to defend our freedom, and we must not forget their sacrifices.

For my State of Arizona, Veterans Day is particularly special because it is home to over 560,000 veterans. Each one has worked to maintain our freedom. Whether as a medic administering aid to a fallen soldier, a soldier rooting out the enemy in a safe house, or a mechanic servicing the military equipment, every veteran played an integral role in our military and thus strengthened our Nation. Our veterans shouldered this great responsibility with courage, dedication and honor. We, as a Nation, cannot forget the countless sacrifices our veterans have made for this country.

Brave men and women in our Armed Forces continue to fight the war against terrorists. It is important to remember that the troops currently working to defeat the terrorists all volunteered for our Nation's military. Young people today are presented with many opportunities when they begin their careers, and many serving in the military could have chosen a more lucrative career that would not put them in harm's way or take them away from their families. This act of selflessness not only underscores the patriotism of our Nation, but also highlights the dedication of our Nation's youth. We should be thankful that so many Americans are willing to serve their Nation, particularly at such a critical and dangerous time.

In the coming year, Congress will be called upon to preserve care and services to our veterans, as well as to support our men and women who are engaged in the missions abroad. We cannot forget those who have given up so much to fight for our Nation, and we will work to ensure that our veterans and soldiers are recognized for their service.

My family and I pay respect to all soldiers who have sacrificed to ensure America remains free, safe, and the symbol of democracy for the world. I

am immensely grateful to all who have served this great Nation.

TRIBUTE TO SENATORS

LARRY CRAIG

Mr. INOUYE. Madam President, I rise to recognize the service of a great public servant and an outstanding leader.

Senator CRAIG has served his home State of Idaho for 17 years in the U.S. Senate. He has been a fervent leader to the people of Idaho with unwavering devotion.

Senator CRAIG has sought to establish Federal policies that respond to the needs and interests of Idahoans by constructing strong, sustainable rural communities, seeking access to adequate, affordable health care and developing natural resource and energy policies that protect the environment and keep consistency with economic growth.

Senator CRAIG's leadership in promoting economic development and strengthening American agriculture has led to the improvement of both agricultural studies and programs. His resilient leadership has helped to foster numerous programs in Idaho that will benefit agricultural entrepreneurship and help to strengthen the partnership between State and Federal groups. Senator CRAIG has truly served the people of Idaho with distinction.

Madam President, I ask my colleagues to join me in paying tribute to this magnificent Senator.

PETE DOMENICI

Madam President, I rise to recognize the service of a great public servant and an outstanding leader.

Senator DOMENICI has been a tremendous and dedicated servant to his home State of New Mexico. His distinguished career spans 36 years, making him the first New Mexican to serve six full 6-year terms and the longest serving Senator of his State.

Senator DOMENICI has been a devoted champion of the State of New Mexico. His relentless commitment to the people of New Mexico is evident to all who know him. As a respected leader in the Senate, he has pushed to strengthen energy security, curb nuclear proliferation, promote fiscal responsibility in the Federal budget, and has demonstrated profound leadership skills in his desire to continuously improve New Mexico's economy.

Among his many accomplishments and priorities, Senator DOMENICI has placed the importance of our future generation at the forefront. He recognizes the necessity of cultivating the young minds of today to ensure a bright future. Over a decade ago, Senator DOMENICI introduced the Character Counts Program into New Mexico's school curriculum. Under the guidance of this program, schoolchildren learn the value of trustworthiness, respect, responsibility, fairness, caring, and citizenship as they build their character. Such traits are reflected in Senator DOMENICI. His legacy of public service has truly left its mark on Congress and will forever remain in the hearts of New Mexicans.

Madam President, I ask my colleagues to join me in paying tribute to this magnificent Senator and friend.

CHUCK HAGEL

Madam President, I rise to recognize the service of a great public servant and an outstanding leader.

Senator HAGEL has been a committed and avid servant to his home State of Nebraska. He has served in Congress for two consecutive 6-year terms with ardent fervor for the welfare of Nebraskans and all Americans.

Senator HAGEL has always placed the well-being of Nebraska and our Nation ahead of partisanship and personal feelings. He has been an earnest supporter of bipartisanship, recognizing the productivity that can accompany joint labor. His devotion to the people of his State and this Nation is apparent to any who know him. He has distinguished himself as a soldier and public servant of the people, demonstrating an exemplary character of which Nebraskans can be proud.

Madam President, I ask my colleagues to join me in paying tribute to this magnificent Senator.

WAYNE ALLARD

Madam President, I rise to recognize the service of a great public servant and an outstanding leader.

Senator ALLARD has been a tremendous and dedicated servant to his home State of Colorado. His distinguished career spans 17 years in the U.S. Senate and the House of Representatives.

Senator ALLARD has been a devoted champion of the State of Colorado. His tireless commitment to the people of Colorado is evident to all who know him. He has been an ardent supporter of increased national attention to the importance of savings plans and investments and small business concerns.

Madam President, I ask my colleagues to join me in paying tribute to this magnificent Senator.

JOHN WARNER

Madam President, I rise to recognize the service of a great public servant and an outstanding leader.

Senator WARNER has been a tremendous and dedicated servant to his home State of Virginia and our Nation. His distinguished career spans 30 years in the U.S. Senate, making him the second longest serving U.S. Senator from Virginia.

Senator WARNER has always placed the well-being of Virginia and the United States ahead of partisanship and personal feelings. He has been an ardent supporter for the men and women of the Armed Forces. As a respected leader, he pushed to modernize the structure and operations of the military to ensure its effectiveness in the 21st century.

Madam President, I ask my colleagues to join me in paying tribute to this magnificent Senator.

JOHN SUNUNU

Mr. CONRAD. Madam President, I rise today to honor my colleague, Senator JOHN SUNUNU, who will be leaving the Senate at the end of this term. Senator SUNUNU has represented the great State of New Hampshire for 12 years in Congress, serving six of those years in the Senate. Senator SUNUNU and I both served on the Finance Committee. Although we did not always agree, I found JOHN to be willing to work in a bipartisan manner to confront the major challenges that our great Nation faces.

Raised in Salem, NH, JOHN SUNUNU became interested in public service early in life when his mother served as chair of the local school board. JOHN attended public school in Salem and later earned advanced degrees from the Massachusetts Institute of Technology and the Harvard Graduate School of Business.

JOHN SUNUNU was elected to represent New Hampshire's First Electoral District in the House of Representatives in 1996. In the House, JOHN served on the Budget and Appropriations Committees. He quickly rose in rank on the Budget Committee, becoming its vice chairman. In 2002, he was elected to represent the Granite State in this Chamber, becoming its youngest Member.

JOHN and I worked together on numerous occasions. We both served on the Finance Committee This summer, JOHN joined the so-called ''Gang of Ten'' as it expanded from 10 to 20 members. Together, we sought pragmatic, bipartisan solutions to our Nation's energy crisis. Senator SUNUNU also joined me in standing up for our Nation's senior citizens and opposing cuts to Medicare-financed nursing home care.

JOHN will be remembered for his commitment to individual liberties and limited Government. In the uncertainties of today's world, Senator SUNUNU has been a voice for preserving civil liberties in the light of increased law enforcement needs.

I thank Senator SUNUNU for his years of public service and wish him and his family the best in the future.

HONORING OUR ARMED FORCES

SERGEANT MICHAEL K. CLARK

Mr. SALAZAR. Madam President, it is with a heavy heart that I rise today to pay tribute to the life and service of SGT Michael Clark. A member of Fort Carson's 3rd Brigade Combat Team, Sergeant Clark was killed on October 7 when his foot patrol was ambushed in Mosul, Iraq. He was 24 years old.

Sergeant Clark was on his second deployment to Iraq and in his fourth year of service in the 3rd Brigade. He was assigned to the brigade's 1st Battalion, 8th Infantry Regiment, and served as a fire support specialist, a job that requires quick thinking, unusually strong stamina, and a mastery of the techniques of target processing. In this urban, guerrilla-style conflict, where

the enemy's location is often difficult to acquire, Sergeant Clark played a vital role as the eyes and ears of his team.

Sergeant Clark's dedication and talent earned him a number of awards, including the Global War on Terrorism Service Medal, the Iraq Campaign Medal, the Army Service Ribbon, and the Combat Action Badge. He was also a two-time recipient of the Army Commendation Medal, which recognizes exemplary service.

Sergeant Clark and his team were charged with maintaining security in the eastern portion of Mosul, which is Iraq's second largest city and one of the remaining centers of operation for al-Qaida in Iraq. They carried out their mission—one of the most dangerous and important of the war—with courage and tenacity.

As a result of their efforts, security conditions in Mosul have markedly improved, and neighborhoods in the city that were once under control of extremists have been reclaimed and turned over to the Iraqi people. Two days before Sergeant Clark's death, American forces in Mosul killed Abu Qaswarah, the second-in-command for al-Qaida-in-Iraq who coordinated operations in the region. Thanks in large measure to the incredible courage and skill of Sergeant Clark and his men, the tide in Mosul is turning.

Ralph Waldo Emerson wrote that, ''the characteristic of genuine heroism is its persistency. All men have wandering impulses, fits and starts of generosity. But when you have resolved to be great, abide by yourself, and do not weakly try to reconcile yourself with the world. The heroic cannot be common, nor the common heroic.''

Sergeant Clark possessed the persistence and dedication to duty that is the mark of a genuine hero. He enlisted at a young age. He deployed and he redeployed. He served every day in Iraq committed to his country, his men, and his mission. He carried out his mission with distinction and honor. He was anything but common, and we are all better for it.

To Sergeant Clark's mother Cherie, his father Bradley, his wife Nalini, his son Lucas, and all his friends and family, I cannot imagine the sorrow you must be feeling. I hope that, in time, the pain of your loss is assuaged by your pride in Michael's service and by your knowledge that his country will never forget him. We are humbled by his service and his sacrifice.

CORPORAL ADRIAN ROBLES

Mr. HAGEL. Madam President, I rise to express my sympathy over the loss of United States Marine Corps Corporal Adrian Robles of Scottsbluff, NE. Corporal Robles died on October 22 from injuries he sustained while supporting combat operations in Helmand province in southern Afghanistan.

A graduate of Scottsbluff High School, Corporal Robles, who was 21 years old, was an exemplary marine. Throughout his service, which included a tour in Iraq during 2006, Corporal Robles received three medals of Good Conduct from the Marine Corps; two Sea Service Deployment Ribbons; the Afghanistan Campaign Medal; the Iraq Campaign Medal; the Global War on Terrorism Service Medal; the National Defense Service Medal; and the Purple Heart.

All of Nebraska is proud of Corporal Robles' service to our country, as well as the thousands of brave men and women serving in the U.S. Armed Forces.

Corporal Robles is remembered as a devoted son and brother. He is survived by his parents Cesar and Yolanda; sister Beatriz; and stepsiblings Cesar and Ricardo Robles and Yovana Chaparro.

I ask my colleagues to join me and all Americans in honoring U.S. Marine Corps Corporal Adrian Robles.

NATIONAL MENTORING MONTH

Mr. CARPER. Madam President, I rise today to recognize National Mentoring Month. The designation of January as National Mentoring Month allows us to focus national attention on the need for mentors, as well as how each of us—individuals, businesses, schools and community groups—can work together to ensure brighter futures for our young people.

Mentors serve as role models, advocates, friends and advisers. Numerous studies show that mentors help young people augment social skills, enhance emotional well-being, improve cognitive skills and plan for the future. For some children, having a caring adult mentor to turn to for guidance and encouragement can make the crucial difference between success and failure in life.

As a longtime mentor myself, I certainly know that there are few things more rewarding than making a difference in the life of a child. Mentoring programs are not only advantageous to our students, but they are also rewarding to the mentor. In Delaware, mentoring has become an integral part of our school system and is one of the keys to improving academic achievement among at-risk students.

As Governor, I helped recruit 10,000 mentors as part of a statewide effort and was actively involved in encouraging individuals, churches, service clubs, students and corporations to help mentor Delaware's at-risk children. However, at the national level, 15 million children are still in need of mentors, and it is imperative that we continue to expand grant programs.

I am proud that Congress has been working toward increasing the funding for mentoring. I have cosponsored two pieces of legislation that support mentoring including the Mentoring America's Children Act, which was introduced by Senator CLINTON. This bill is based on joint recommendations of the MENTOR/National Mentoring Partnership, Big Brothers Big Sisters of America and the National Collaboration for Youth. The act would broaden the reach of mentoring programs to include a number of specific populations of young people—including children in foster care and those living in communities with high rates of youth suicide. The Mentoring America's Children Act would also help students gain professional skills by implementing internship programs during the school year.

The second piece of legislation I have cosponsored is the Mentoring for All Act. This bill, introduced by Senator KERRY, would create a competitive grant fund to strengthen and grow mentoring infrastructure across the country and provide additional support and funding to direct service mentoring organizations, both at the national and local levels.

In addition to cosponsoring these two bills, I also signed onto a letter to Senators HARKIN and SPECTER encouraging increased funding for mentoring to be added into the fiscal year 2009 budget. The letter encourages the Senate Subcommittee on Labor, Health and Human Services, and Education to include $100 million in their appropriations bills for mentoring.

There are literally millions of students in our schools who would benefit greatly from having another positive role model in their lives. I pledge to continue to fight for increased funding of mentoring programs all year, not just during National Mentoring Month. I am proud and grateful to our Nation's mentors who realize that less than an hour of our time each school week can make a lifetime of difference to a child and to each of us.

IN RECOGNITION OF TIM LITVIN

Mr. GREGG. Madam President, today I rise to make a few comments about a longtime staffer in my office, Tim Litvin.

A native of Manchester and a graduate of Central High School, Tim came to work for me first as an intern from Colgate University and then joined the office full time in 2001. Through his 7 years of service, Tim rose through the ranks from manning the front desk to becoming a legislative aide on critical defense and military issues, as well as on other matters. From making sure our veterans and soldiers received the highest level care and attention, to his work with the Portsmouth Naval Shipyard, Tim gained respect from all those who crossed his path.

In my office, Tim always came to work with a smile, a willingness to help, and a good sense of humor. At office functions in the conference room or on the softball field, Tim would always crack a few jokes among his coworkers, sometimes at his own expense to add a bit of levity. This low-key, low-ego approach helped keep things in the office light and upbeat. Where there was laughter in my office, Tim was usually there and we all appreciated it.

But humor aside, Tim's passion for public service and military matters, especially defense appropriations, has been his strongest attribute. While working full time in my office, Tim attended evening classes at the Naval War College and obtained a master's degree. When Granite State servicemembers were recuperating at Walter Reed, Tim would often drive out there, visit them, and make sure that they received the best care possible. Time and again, he went above and beyond the call of duty.

Although Tim's new job will not be taking him too far from the Hill, he will be missed. Whether it be his good cheer, his expertise, or his dedication to service, Tim will be hard to replace. Fortunately, it is good to know that the Federal Government will still benefit from his talents as he works for our men and women in the Armed Forces at the Pentagon. I am sure Tim will make us all proud there and I wish Tim best of luck on this new chapter in his life.

TRIBUTE TO LYNN BAKER

Mr. LIEBERMAN. Madam President, I wish today to express my deep gratitude and heartfelt best wishes to my administrative director, Lynn Baker, who will be retiring at the end of the month after 27 years of distinguished service in the U.S. Senate.

Lynn is a perfect example of the countless people who serve the Senate as dedicated, nonpartisan employees. Whether it has been as a member of committee staff or in personal offices, the Senate could not function without professional staff such as Lynn Baker.

Over the past 27 years, Lynn has worked with many staff and interns, all of whom have benefitted from her experience, wisdom, and guidance. When asked about Lynn, many current and former staffers will tell you that she is always willing to listen and offer advice. She takes great pride in encouraging junior staffers to develop their abilities and pursue their goals. One former staffer remembers that Lynn made her feel like part of the family when she opened her home to this staffer until appropriate housing could be found. It is no wonder that Lynn stays in touch with so many of those with whom she has worked throughout her tenure in the Senate.

Lynn graduated with a degree in history from Lake Forest College in Illinois, including a semester abroad in Florence. She subsequently worked in a Washington law firm for 2 years before joining Senator Charles H. Percy of Illinois' staff on the Permanent Subcommittee on Investigations. During a 7-year period on Senator Percy's staff, Lynn also served as office manager for his personal office before she became chief clerk of the Subcommittee on Energy, Nuclear Proliferation and Government Process.

Following a 4-year absence from the Senate, Lynn returned in 1987 as executive assistant and scheduling director for Senator KENT CONRAD of North Dakota. When she became office manager for Senator Mark O. Hatfield of Oregon, Lynn worked closely with senior Disbursing Office staff to develop the first electronic financial management system and time and attendance system for personal Senate offices. Following Senator Hatfield's retirement, Lynn worked as office manager for MAX BAUCUS of Montana before returning to the Senate Committee on Governmental Affairs as chief clerk in 1998. Lynn was financial clerk of the committee when I assumed the chairmanship in 2001, and then moved to my personal office as administrative director in 2003.

As administrative director, Lynn has made a number of contributions that have helped my office better serve Connecticut. Always open to new ideas, Lynn implemented the acquisition and use of new technologies that enabled my staff to perform their duties more efficiently. She also took the initiative to update and rewrite my office policy manual, and played a leading role in integrating my office with a new software system that will revolutionize the way my staff communicates and works together. Lynn was instrumental in the redesign of my Senate office in 2005, which resulted in an attractive, comfortable, and functional work space.

Lynn has formed many lasting friendships throughout the Senate community, where she is beloved and respected for her character, judgment, and professionalism. I know I speak for my staff and many in the Senate family when I say how difficult it will be for us to bid a fond farewell to Lynn. Her patience, warmth, and wise counsel will be greatly missed. However, we all wish Lynn good health and happiness always as she begins her well-deserved retirement. I know that she has much to look forward to with her loving husband, Steve Nousen, and their son, Daniel Baker.

I extend to Lynn Baker my personal thanks and congratulations for 27 years of exemplary public service to the U.S. Senate.

IDAHOANS SPEAK OUT ON HIGH ENERGY PRICES

Mr. CRAPO. Madam 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:

We are glad to hear that at least one of our politicians is concerned about how the gasoline prices are affecting the middle class. Most of us feel that our government is extremely out of touch with the majority of the country.

We are retired on a fixed income and we worked hard all our lives and saved to get a motor home for vacations, but unfortunately we now cannot use it because of the price of gasoline and it just sits there. We try to go out shopping for groceries and any other necessities just once a week, making a list of items and stores, color coding so we do not forget anything. The cost of energy also has increased the price of groceries tremendously, so basic foods and produce are the norm—doing away with any treats. We have never seen the price of gasoline increase day by day and a nickel to a dime at a time.

We desperately need to have alternate sources of energy, such as coal, windmills, solar and nuclear. We should have been building new refineries and recovering oil off all of our coasts since the 1970s when this same problem came up at that time, but, to our shame, we did not.

Automobiles should get a lot more than the 35 mpg that we have heard mentioned for future vehicles. It should be at the very least 60 mpg, and there is no reason in this world with our technology that this could not be a reality. Something should be done to increase the mileage on all of the vehicles that are already on the road. This is never mentioned. We cannot just go out and buy a hybrid or other fuel efficient vehicle at the drop of a hat to help the situation. We drive our 2002 Honda 4 cylinder between 55 and 60 mph on the highway to increase our fuel efficiency and you should see the bad looks we get. Highway mileage should be lowered to 55 mph like in the 70s to help conserve.

We do hope that our government does something quickly to improve this situation and that it is not handled like it was in the 70s—all talk and no action. We need to be dependent on no one but ourselves for our energy needs. No one is going to take care of the USA and its citizens but the USA itself.

We need some action now—please.

ROBERT & ROBERTA,
Idaho Falls.

Thanks for the opportunity to respond to your e-letter regarding energy costs and gasoline prices. I agree that we in the US are far too dependent on petroleum for energy. But I think it is a selfish and short-sighted view to defeat the climate change legislation. Our focus should be, as you mentioned, on using less petroleum, not searching for petroleum everywhere we can, no matter the ecological cost. It is true; we do not have good mass transit in Idaho and especially in the more densely populated Treasure Valley. I think tax dollars would be well spent to improve the mass transit situation in the Valley.

We need to give tax incentives to clean, renewable energy sources and rescind the tax breaks given to the huge oil companies who have been reaping record profits at the expense of all Americans. The answer is in conservation which includes improved mass

transit and in alternative transportation where there would be improved avenues for bicycling and walking.

It is true. I will not be driving as far for vacation this year, though I would like to explore areas in Idaho I have not yet seen. It now becomes an expensive venture just to get to the Sawtooths or White Clouds.

TIM, *Boise*.

I am contacting my Congressman about energy just as you have encouraged your constituents to do. I am in dismay, however, at the continued opportunism and political grandstanding. That is, the only answer I see from many is to drill more oil. Every credible energy scientist and economists knows that this will do little or nothing to curb our foreign oil imports and zero to reduce the cost of fuel. Yet, despite this ever-predictable call for more domestic oil production, you flatly concede that ''speculation [is] now driving up the cost of oil.'' So I ask: why are you and your colleagues still calling for more drilling when you know what it is you can do now to reduce fuel costs? Why are you not regulating ''the speculation now driving up the cost of oil''? Commodities speculators are at the heart of extreme oil prices, not supply and demand imbalances. We do not want to hear any red herring arguments about the average Joe's retirement portfolio owning the bulk of oil company shares. The issue is speculation; the answer is regulation of speculation.

JASON, *Moscow*.

Last week I heard on the news that you have received many letters and e-mails related to high gas prices. Hence, I have decided to write in and give you my two cents on the matter.

I believe that the primary culprit that is causing high gas prices is globalization; particularly in the emerging economies of China and India. The rapid growth of their economies has drastically increased their demand for petroleum.

Along with developing a comprehensive energy policy, the executive and legislative branches of our federal government need to re-examine our economic policies, particularly in areas of foreign trade. During the past two decades, the American middle class has gotten the short end of the straw when it has come to previous trade policies. One does not have to look farther than our orchard industry in the Treasure Valley. These trade policies have really only benefitted the very wealthy in our country. When I was in college ten years ago, we talked about globalization in one of my classes and how if China copied the U.S.'s consumption then we would be paying a premium for gas. This is now reality.

In conclusion, too often our government fails to look long-term. It is time for a change. We need to do in-depth independent analysis on our trade policies to determine what the long term effect will be on the average American. Government policies need to benefit society as a whole rather than a few. Our society is too self-centered on the ''me'' rather than on the collective ''community''. We also need to have a comprehensive energy policy. This policy needs to be long term and address conservation, efficiency, alternative and renewable sources of energy, and possibly take into consideration additional domestic production of oil with stringent environmental safeguards and firm consequences for those companies that fail to comply with those safeguards.

BRENT DANIELSON, *Boise*.

I am a single father of two sons, 3 years and 13 months old. I am a truck driver. I make decent money and have good benefits. But these fuel prices have gone too far for our society! I am lucky I work at a place where I can get a free bag of potatoes every once in a while because I cannot go grocery shopping because it is all too expensive! Wages have not changed a bit. I am sick of it and I am losing almost all of my faith in our government and the people representing the common people like me. One of my best friends who was an owner-operator had to quit because diesel got too high for him to profit much at all. Now it is been three weeks and they just got their phone shut off two days ago and their power shut off today. My stimulus money has gone to my power bill, gas bill, rent etc. Sure you do not like to fill up your gas tank but does it cripple you financially like it does many, many people? I think not. I have always stuck up for our local and federal government on many issues and criticized them on other issues, but this time I as well as many people are fed up. Seriously this time, I am to the point now where I am struggling to make ends meet. I have spent over $60 in the last three days in gas just to get to work and back—that is it. And I am close to empty again and I have to get diapers for my son before I go to work tomorrow. The diaper money is coming out of the power bill money I had put back. You need to sound off and be heard. At least make it known to us that you are voicing our concerns.

CAMERON, *Boise*.

My husband and I are retired, he is military retired and we recently purchased a small travel trailer since he can no longer ride his motorcycle and our maiden voyage with it cost $300 in gas to go 200 miles round trip! Between gas and food prices, we cannot afford to go anywhere, much less eat out. We have changed our daily living dramatically, and it is not a happy way to be in your retirement years.

We urge you and all of Congress to start drilling in our nation and bring back more nuclear power plants. We must relieve ourselves of dependence on foreign oil ASAP. Lord only knows what are grandchildren have to look forward to at this insane rate!

ANGELO, *Hayden Lake*.

I will get right to the point—my wife and I are out of money. Our incomes have not changed and our incomes used to pay our bills with money to spare. We have a 91 Honda wagon and a 99 minivan, we pay $50 and $70 to fill them up. Grocery prices are up 100% in the last couple years because gas prices are killing the trucking industry. Expensive gas has made almost everything else expensive. Today, after filling both our cars with gas and grocery shopping, (with a list, mind you), we ran out of money. For the first time ever, we put groceries on a credit card. We are not credit card people, so this is anathema to us.

When I turn on the TV or radio I hear some politician telling us that drilling will not make a difference for ten years. As an engineering student, I cannot stomach that level of [deception]. First of all, I do not believe that is true and second, if it were true, then we sure better get started. What if every time an education bill were introduced, we responded by saying that we would not see the results for 12 years so let us not do it. What if I told my child not to go to college because they would not see a payoff for at least four years so do not bother. We are financially dying and our so-called leaders are regurgitating some of the stupidest things I have ever heard.

The bottom line is this: This planet does not exist for its own sake, it exists for ours. We are not here by some cosmic accident; we are here by design and our designer gave us the tools we need to live and prosper. The failure to drill for new oil and create new refineries is the result of environmental philosophies, which are based on evolutionary thinking. To the environmentalist, our purpose here is no more significant than that of any other animal, and we, by accident of evolution, happen to have the power to sustain or destroy this environment. Without a cosmic caretaker, the earth itself becomes our only god and the environmentalist shows his worship by reducing or eliminating human impact upon it and by treating humans as vermin. It is an old religion and I am tired of suffering at the hands of it is misguided priests.

Please do your best to release energy, specifically nuclear and oil, to the free market system. Irrational environmental policy and regulation have prohibited natural market forces from creating more supply and oil-pricing based on speculation has prevented the market from determining price. Imagine going to Wal-Mart to buy a t-shirt and finding that they now cost $100; and when you ask the owner why this was so, he replies that speculators determined that cotton crops would fail next year, so in preparation they have raised prices early. As you know, this is not how prices are determined. The cotton producer charges as much as he can based on his costs and competitors prices and Wal-Mart charges a markup. If cotton crops indeed fail next year, then the buyer pays more for the rare product and they pass the increase to the consumer. When oil speculators set price, we pay increases at the pumps whether those speculations came true or not. There is no real connection to supply. Please work to make this kind of price setting illegal and please work to release drilling and refinement. The further we remove a commodity from the free market grid by socialist controls and uneducated environmental policy the more the people, you claim to represent, are hurt. Make the American dream possible by making it affordable.

JASON, *Boise*.

The rising cost of fuel has a tremendous effect on my household consisting of my husband and myself. I am sole support for our family. Senator, as you know, wages in Idaho fall behind many other states. The cost of gas is outrageous and I blame the Congress for a lot of it. Why are not we drilling in Alaska? Why are not we building refineries away from coasts where hurricanes have a tendency to hit? Why are not all of our refineries running full bore?

There was a Democratic senator from the South who retired, I forget his name but he wrote a book, ''A Grand Party No More''. Before he retired, he went to see for himself where we would drill in Alaska. He said there would be no harm to anyone or anything, it is so far out in no man's land. He said if there was a leak it would be of no consequence as it would freeze the minute it hit the ground. It is time we push the environmentalists to the wall and out of the way. I believe in saving trees and wildlife, but there is no danger to any of these where we would drill. I recognize that we need to become independent of so much oil but how do we do that. I drive a '95 Forerunner and it is paid for. Not the best gas mileage but it is paid for. I cannot afford any kind of a car payment for one of those new hybrids. Rebates are nothing, $2,000 in exchange for $26,000? The cost of a new car buys an awful lot of gas. My income does not allow for any car payment.

Everything is going crazy! A loaf of bread that cost $2.89 last year is now $4.29. Anything with corn or wheat is gone out of sight. We pay farmers not to grow wheat and now I hear we have to import it? How sad for

America. America has sold its soul to China, Mexico, Japan. If we were ever to go into another world war, we could not even build what we would need to fight it. Is there a steel mill left in America? Is there a textile mill left in America? You would be pretty hard pressed to find one, a sad statement on us.

As to what I do? No trips during the week except to work and back. If I can do any errand on the way, great, otherwise, it waits till the weekend. I plan one trip, one circle. If something is missed, too bad, it is missed. The real clincher is this, I tithe to my church, I give the Lord 10% of my gross income. It costs me almost as much, $10 less, to keep my car in gasoline between paychecks. Now I think it is pretty awful when I have to give the gas company as much as I give the Lord. He gives me everything I have, the gas company gives me nothing except anger when I hear of the profits they make. And I think that pretty well sums it up, 10% to the Lord vs. almost as much to the gas company!

DIANNE, *Hayden Lake.*

I am a taxi driver here in Boise. In a year's time, the cost to fill my tank has increased nearly 100% but my average fare has remained static. If it were not for my military retirement, I would no longer make enough to cover basic costs and make a profit. I am 61 years old and am not practiced in a marketable skill so the prospect of making a move to another occupation is nil. My only reasonable hope is that Boise will increase our per mile fees in the near future; it is unlikely that fuel prices will decrease in the near future.

I have been watching your position on domestic drilling with interest. Though alternative energy sources are imperative for the future of America, I am pleased to see that you share my position that energy self-reliance is the immediate solution to our present crisis. I applaud you and urge you to continue your good work and prosecute this agenda with rigor.

EARLE, *Boise.*

Not only is the fuel much too high but I cannot find employment. I am over 60, have experience, but it seems I am ''over-qualified'' or I need more ''experience''. What a lot of rubbish! I call it age discrimination, but that is difficult to prove. With the fuel prices so high, if I do find employment, it will take a huge chunk of my pay just to get back and forth to work. Are unemployment benefits going to be extended for Idaho residents? My benefits ended this week, no hope of a job in sight and my husband can not work due to medical reasons. What is a person to do?

Getting Desperate

JANET, *Emmett.*

As Director of Gritman Adult Day Health which provides day health care for elders who want to remain in their own home in Moscow and Latah County, I am including an article from the NY Times which talks about the cost of gas and how it affects rural elderly. It is very sad that these folks who often aren't able to drive are so affected by the cost of gas. Please do everything you can to remedy this: *http://online.wsj.com/article/SB121263496261947543.html?mod=googlenews*_wsj

BARB, *Moscow.*

Gasoline prices are now far too high for the average family, and causing increasing rises in the cost of living in many other areas. For instance, every time one goes to the grocery store, an increase in pricing is noted on items, and thus causing many to have to go without needed supplies. Saving a percentage of income has become just a dream for many, and others cannot make ends meet without going into further debt.

BEVERLY, *Parma.*

Yes, gas has gotten way out of hand. Do what you can to decrease the costs and return to a life with some normalcy.

DIANA, *Kootenai.*

Thank you for at least noticing that we have a problem with the cost. I do not believe, however, that anything can be done with out us paying somewhere else. I make a good living working for the military here in Boise but am still unable to put any money aside. It is funny that every time we receive a pay raise that the price of fuel goes up and our health care premiums grow as well, so you never see any savings. Thanks again; good luck with this effort.

CLINTON, *Emmett.*

ADDITIONAL STATEMENTS

TRIBUTE TO LARRY VANDERHOEF

• Mrs. BOXER. Madam President, I am pleased to recognize the career and contributions of University of California, Davis, Chancellor Larry Vanderhoef for his 25 years of service to the university.

Chancellor Vanderhoef was born in a small Wisconsin town and was the first person in his family to graduate from high school. After high school, he attended the University of Wisconsin, Milwaukee, where he earned a B.S. and M.S. in biology and later earned a Ph.D. in plant biochemistry at Purdue University. Chancellor Vanderhoef began his career in education at the University of Illinois in 1970 as a faculty member and was appointed provost at the University of Maryland, College Park, in 1980. He spent the next 4 years at the University of Maryland before heading west to California and the University of California, Davis, in 1984.

Chancellor Vanderhoef began his career at U.C. Davis serving as executive vice chancellor and later as provost/executive vice chancellor. In April 1994, Larry Vanderhoef was named the fifth chancellor of the University of California, Davis.

Under Chancellor Vanderhoef's leadership, U.C. Davis experienced a period of dramatic growth, adding 4 million square feet of office, classroom, lab, and clinical space to support its 8,000 additional students and 44 percent more faculty. He revitalized the south end of campus with the additions of the Robert and Margrit Mondavi Performing Arts Center, the Robert Mondavi Institute for Wine and Food Science, and the Graduate School of Management.

During Chancellor Vanderhoef's tenure at Davis, the university was invited to join the Association of American Universities, recognizing Davis's standing as a top research university. The campus has also been recognized by U.S. News and World Report as the 11th best public university and Washington Monthly recognized it as the 8th best university for their contributions to society.

Over his career, Chancellor Vanderhoef has been honored for his dedicated leadership at U.C. Davis and in the community. In 2003, the Arts and Business Council of Sacramento honored him with its Prelude to the Season Outstanding Contribution Award; in 2004, he was honored as Sacramentan of the Year by the Sacramento Metropolitan Chamber of Commerce; and in 2006 he was given the Northern California International Leadership Award from the Northern California World Trade Center and California Business, Transportation and Housing Agency for his efforts to increase the campus's international engagement. He was also named one of the 20 people who have contributed most substantially to California's Capital Region over the past 20 years by The Sacramento Business Journal.

As the University of California and Davis community gather to celebrate the retirement of Chancellor Larry Vanderhoef, I would like to congratulate him and thank him for his service to California.•

REMEMBERING DOROTHY GREEN

• Mrs. BOXER. Madam President, I am honored to remember a great American activist, environmental leader, mentor, and woman of service—Dorothy Green, who passed away on October 13, 2008, at the age of 79.

Dorothy's career as a leading environmental activist for clean and sound water policy spanned three decades. She was well known for her self-taught expertise on clean oceans and responsible water management. She also founded several well-known organizations that continue to make an impact on California's environment.

Dorothy Green was born in Detroit to Polish immigrants in 1929. She moved to California where she graduated from the University of California, Berkley, with a degree in music. She married her husband Jacob in 1951. For many years, Dorothy stayed home and took care of her children. In 1962, she began dedicating her life to volunteerism with her involvement in the Exceptional Children's Foundation, committed to helping children with developmental disabilities—like her son, Hershel.

Dorothy began advocating for water quality in 1972 when she volunteered in a campaign to establish the California Coastal Commission. From there, Dorothy became president of the Los Angeles League of Conservation Voters, where she focused primarily on sewage treatment. However, Dorothy is best known for forming one of the largest, nonprofit environmental groups in Los Angeles in 1985, Heal the Bay. Heal the Bay has grown to 15,000 members and fights to protect coastal waters, clean up beaches, and reports on the

water quality conditions of over 500 California beaches through its annual Beach Report Card.

Dorothy's work did not stop with Heal the Bay. She went on to found the Los Angeles and San Gabriel Rivers Watershed Council to preserve, restore, and enhance the economic, social, and environmental aspects of the local watersheds. She also went on to help establish the Public Officials for Water and Environmental Reform and the California Water Impact Network—both dedicated to water sustainability.

Even to the very last days of her life, when she was bedridden and under hospice care, Dorothy fought for positive change. She wrote an editorial for the Los Angeles Times, pleading for sensible water policy, and she even provided specific guidance on how to obtain it. Dorothy inspired others to take action on environmental issues through a life of dedicated leadership and service.

Green is survived by three sons, Joshua, Avrom and Herschel; two brothers, Morris and Gerald; and three granddaughters, Jessica, Katherine and Tara. I send my deepest condolences to them.

Our Nation lost an amazing environmental activist with the passing of Dorothy Green, but her legacy to the State of California and promotion of clean ocean water will live on.●

100TH ANNIVERSARY OF ALLENSWORTH, CALIFORNIA

● Mrs. BOXER. Madam President, I ask my colleagues to join me in celebrating the 100th anniversary of the Town of Allensworth, a town located in California's San Joaquin Valley founded by COL Allen Allensworth.

After his retirement, COL Allen Allensworth, who escaped slavery during the Civil War to serve with the Union Army, arrived in California in hopes of developing a settlement where hard work and a strong sense of community would enable the town's residents and future generations to realize their full potential as free citizens and without discrimination.

In 1908, the settlers eventually settled on a region located between Fresno and Bakersfield in Tulare County, a site with an abundance of rich farm land, a site that they would name ''Allensworth'' in honor of the Colonel whose belief in self-determination and liberty led them to central California.

In just a few years after its founding, the town of Allensworth grew from a remote outpost to a vibrant community with a school, church, and a number of thriving businesses. The library in Allensworth was the first in Tulare County. Allensworth was a close-knit community where residents often came together to participate in formal debates, plays, and a number of social activities.

After Colonel Allensworth's passing in 1914, a number of families remained in pursuit of his vision, and their dedication to the principles of freedom and liberty earned the town the title ''the town that refused to die.''

In 1974, the California State Parks purchased the townsite of Allensworth, and it became the Colonel Allensworth Historic State Park, the first State park that highlights the contributions made by African-American pioneers to the State of California.

Today, the Allensworth Historic State Park, where many of the town's original buildings have been restored and reconstructed, provides a window for visitors to see the vision of COL Allen Allensworth, a true California pioneer.

The story of the town of Allensworth's years is a testament to the value of freedom and determination. As its many admirers gather to celebrate the 100th anniversary of Allensworth, I thank them for their support and wish them a successful and enjoyable visit.●

REMEMBERING BRADLEY MOODY

● Mrs. BOXER. Madam President, I ask my colleagues to join me in honoring the memory of a dedicated law enforcement officer, Officer Bradley Alan Moody of the City of Richmond Police Department. For the past 8 years, Officer Moody worked tirelessly to provide the citizens of Richmond with safety and service. On October 4, 2008, Officer Moody was tragically injured in the line of duty, and passed away 3 days later.

Officer Moody, 29 years old, was deeply committed to the city of Richmond. Shortly before his accident, he had received a commendation for chasing down and arresting two suspects carrying concealed weapons in separate incidents in August 2008.

A K–9 officer and a member of the Richmond Police Department SWAT team, Officer Moody was renowned for his extraordinary work ethic among fellow officers. He was also extremely personable; able to both fight crime and interact with youth in the community. Throughout his career, Officer Moody demonstrated a passion for law enforcement and commitment to helping others, qualities that enabled him to become a respected and model member of the Richmond Police Department. Officer Moody's colleagues will always remember him for his professionalism and devotion to serving the public.

Officer Moody was a loving husband, proud father, and devoted friend. He is survived by his wife, Susan, a former Richmond police dispatcher, and two young children. Officer Moody served the city of Richmond with honor and dignity, and his contributions to his community and the many lives he touched will serve as a shining example of his legacy.

We will always be grateful for Officer Moody's service and the valor that he displayed while serving and protecting the people of Richmond.●

TRIBUTE TO BARBRA STREISAND

● Mrs. BOXER. Madam President, I am pleased and honored to pay tribute to the legendary Barbra Streisand, one of the most talented and successful female entertainers in modern history. For more than 40 years, Barbra's wildly successful career in music, television, film, and theater has enamored fans across America and abroad. In recognition of her great achievements and contributions to American culture, Barbra has been named a Kennedy Center Honoree for 2008.

Barbra Streisand was born on April 24, 1942 in Brooklyn, NY. The daughter of Diana and Emanual Streisand, Barbra passionately pursued her dream of a career in show business from a young age. After getting her start in New York City night clubs, Barbra signed a contract with Columbia Records in 1962.

In 1963, the 21-year-old singer won two Grammy Awards, including Album of the Year. At that time, Barbra was the youngest artist to have ever received that award. Barbra has now recorded 60 albums, sold over 148 million albums worldwide, and is one of the highest-selling female artists of all time.

In 1965, ''My Name is Barbra,'' her first television special, earned five Emmys and the distinguished Peabody Award. In 1968, she earned the Academy Award for Best Actress for her performance in her very first motion picture, ''Funny Girl.'' In 1976, Barbra became the first female composer to win an Academy Award, for her song ''Evergreen'' from the film ''A Star Is Born.''

Barbra continued smashing glass ceilings when she became the first woman ever to direct, write, and star in a major motion picture. ''Yentl'' received five Academy Award nominations. She also directed, wrote, and starred in ''Prince of Tides,'' which received even more nominations, including one for Best Picture. Barbra is one of a very few individuals who has won an Emmy, a Grammy, an Oscar, and a Tony award.

As her career continues to rise to unfathomable heights, Barbra never shies away from an opportunity to improve the lives of others. She has worked tirelessly on issues of national and international importance. Her commitment to social justice is demonstrated by the work of the Streisand Foundation—which benefits national organizations working on the protection of civil rights, environmental preservation, voter education, nuclear disarmament, and women's health. Barbra received the Humanitarian Award from the Human Rights Campaign in 2004.

Barbra's unparalleled talent, enthusiasm and commitment are reflected by the millions of individuals whose lives she has touched. We are grateful for Barbra's innumerable gifts, and I hope you will all join me in celebrating the remarkable Barbra Streisand.●

TRIBUTE TO VALERIE WOODRUFF

• Mr. CARPER. Madam President, I rise today in recognition of Dr. Valerie Woodruff—like me a native of West Virginia—upon her retirement as secretary of the Delaware Department of Education. Valerie, known to her many admirers in the First State as Val, has dedicated the past 43 years of her career to education and served the last 10 as Delaware's secretary of education, a position I was privileged to nominated her to when I served as Delaware's Governor from 1993–2001.

After receiving her bachelor's degree in secondary education from the Alderson Broaddus College in Philippi, WV, Val began her career in education as an English and social studies teacher at Bohemia Manor High School. She taught for 3 years before becoming a guidance counselor and beginning to work towards her master's degree.

After receiving her master's degree in 1971 from the University of Delaware in guidance and counseling, Val moved to Delaware and became a guidance counselor at Delcastle Technical High School near Wilmington. Five years later, she became the school's assistant principal. During her time at Delcastle, she also served on the Governor's Advisory Council for Career and Vocational Education.

Val worked on her doctorate degree in vocational education and curriculum development at Temple University while serving as assistant principal, then went on to become the principal at Middletown High School in 1984. She was an excellent principal, and her work did not go unnoticed. In June of 1990, she was selected as Principal of the Year by the Delaware Association of Secondary School Principals. During her watch at Middletown High School, the first school-based wellness center was established there. Today, in no small part because of her leadership, every public high school has a wellness center where students receive help and support to enable them to succeed in school and in life.

Later, Dr. Woodruff served as the associate secretary for improvement and assistance in the areas of curriculum and instruction at the department of education for 7 years. In 1999, I nominated her be secretary of education, overseeing the implementation of our State's education improvement plan which focuses on rigorous academic standards; objectively measuring student progress toward those standards; and holding schools, school districts, students, educators and parents accountable for improving student achievement. Val has emerged as a national leader among our Nation's chief school officers and has worked closely with her peers and with the U.S. Department of Education to develop and modify the Leave No Student Behind law and to narrow the achievement in Delaware and across America.

Val has a long list of accomplishments and is leaving big shoes to fill for the next secretary of education. She is a member of many prestigious boards including the board of directors of the Council of Chief State School Officers on which she was president from 2005–2006, the Southern Regional Education Board on which she was the first K–12 educator to be elected vice-chair, and the Delaware Workforce Investment Board.

Dr. Woodruff also currently serves on the Vision 2015 Steering and Implementation Committee and is on the President's Policy Council for the Alliance for Excellent Education. In addition, she is a valued member of the Delaware Mentoring Council and of the Delaware State Chamber of Commerce Partnership.

Through her tireless efforts, Valerie Woodruff has made a positive difference in the lives of tens of thousands of students in Delaware and, in doing so, has enhanced the quality of life in our State for years to come. Upon her retirement, she will leave behind a legacy of commitment to education and to public service for generations to follow. I thank her for the friendship that we share, and I congratulate her on a truly remarkable and distinguished career. In closing, on behalf of the people of Delaware, I want to wish Val and her family the very best in all that lies ahead for each of them.•

RECOGNIZING MERCY CLINICS, INC.

• Mr. HARKIN. Madam President, I wish to extend my warm congratulations to Mercy Clinics, Inc., based in Des Moines, for earning the prestigious 2008 Acclaim Award from the American Medical Group Association. This award is an extraordinary honor, given annually to the medical group that best exemplifies delivery of the highest quality health care in the United States.

Mercy Clinics, Inc. operates health care facilities throughout the greater Des Moines area, and has a long history of innovation. The 2008 Acclaim Award is just the latest national recognition of Mercy's exceptional commitment to high-quality patient care—something we deeply appreciate in Iowa.

I prize my long-standing relationship with Mercy Medical Center in Des Moines, the partner of Mercy Clinics. I will be forever grateful to the Sisters of Mercy for providing care to my chronically ill father, many years ago, at a time when my family could not afford the costs of hospitalization. He received not only quality medical attention at Mercy, but also a generous measure of caring and kindness that remain the signature of Mercy Medical Center and Mercy Clinics to this day. The way that Mercy has retained these traditional human factors while providing state-of-the-art, 21st century clinical practice is obviously a winning formula—indeed, an award-winning formula.

In presenting the award, the American Medical Group Association cited Mercy Clinics' pioneering research into the best ways to care for people with chronic conditions such as diabetes and high blood pressure. The staff at Mercy Clinics created a program called ''Medical Home,'' which includes a team of ''Health Coaches'' who review patients' medical records and provide ongoing support for patients both face-to-face and over the phone, including advice on nutrition, exercise, and treatment management. Outcomes showed significant improvement in patient blood sugar and blood pressure control.

I salute the visionary leadership of Dr. David Swieskowski, vice president for quality improvement for Mercy Clinics along with the partners who collaborated to make this project, not only successful, but a national award winner: Wellmark Blue Cross/Blue Shield provided grant funding to hire the first health coaches and whose ''pay for performance'' program rewards population based care; the Iowa Foundation for Medical Care who provided the Care Measures Disease Registry; Des Moines University who collaborated on health coach education and certification; Pfizer who provided initial health coach training in patient self-management support; the Institute for Healthcare Improvement whose IMPACT program model helped Mercy Clinics shape their program; and New Health Partnerships who also provided grant assistance. I also commend the commitment to quality and excellence that pervades the entire family of Mercy health care professionals.

I congratulate all of them for a job well done. I look forward to working with them—and benefiting from their counsel—as the new 111th Congress addresses health care reform, with a strong emphasis on wellness and prevention.•

TRIBUTE TO JOHN J. LEONE, JR.

• Mr. LIEBERMAN. Madam President, today I wish to honor Mr. John J. Leone, Jr. of Bristol, CT. A dedicated public servant who has served his community for over 40 years, John will retire from his position as president and CEO of the Greater Bristol Chamber of Commerce at the end of the year.

John has been head of the Greater Bristol Chamber of Commerce, the third largest chamber in Connecticut, for 18 years. Under his leadership, the chamber grew immensely, going from 450 members to 1,820. John demonstrated a remarkable ability to bring people from all walks of life together behind a project. He played an integral role in securing State and Federal funding for the extension of route 72, which will help commuters in central Connecticut and provide a significant boost to merchants in downtown Bristol.

John's tenure with the chamber was the capstone of a lifetime spent serving Bristol. He was the mayor from 1984–1991, where he was elected to four terms. Before being elected mayor, he

was a cop for the Bristol Police Department. He has served as secretary of the Bristol Boys and Girls Club and as treasurer of the Metro Chambers of Commerce organization, which is composed of the seven largest chambers in Connecticut. He was also chairman of the Chambers Benefit Leadership Council, which pools together businesses from Connecticut and western Massachusetts for the purpose of purchasing health benefits.

Given the deep commitment John has shown for Bristol, it is no surprise that he intends to remain in the Mum City. I couldn't be more thrilled that such a devoted civil leader will still be part of the community. I am sure he will find ways to remain involved.

I extend to John Leone my sincerest thanks and heartfelt best wishes on a well deserved retirement. Connecticut is a better place because of him.●

TRIBUTE TO MATTHEW E. PARSONS

● Ms. MIKULSKI. Madam President, today I pay tribute to Special Agent Matthew E. Parsons of the Naval Criminal Investigative Service, NCIS, who is retiring from employment with the Federal Government on December 20, 2008. Special Agent Parsons is retiring after 36 years in law enforcement, with the last 27 years of Federal Government service with NCIS. Of special note and atypical of his peers, he volunteered and recently completed a high risk assignment as the Director of the Strategic Counterintelligence Directorate, Multi-National Force-Iraq, Baghdad, Iraq.

During the course of Special Agent Parsons' career in government service, he rose from a GS–7 to a GS–15 Special Agent. In his final position with NCIS, he was assigned as the Assistant Director for Financial Management & Planning at NCIS Headquarters, Washington Navy Yard, Washington, DC.

Special Agent Parsons, Federal law enforcement career began August 1981 with the Naval Investigative Service—the precursor of today's NCIS. His first assignment was to Norfolk, VA, at the time when the John Walker, Jr., spy ring was uncovered. During the early stages of the investigation, Special Agent Parsons was assigned as the NIS case agent. In August 1985, he transferred to overseas duty at Yokosuka, Japan, where he continued working in the foreign counterintelligence arena.

In 1988, Special Agent Parsons was transferred to Naval Air Station Patuxent River, MD. While conducting an investigation into a sensitive breach of security, he developed the ground work for future NCIS computer investigations. Special Agent Parsons utilized innovative methods to hone his computer investigative skills which ultimately led to the development of agency capabilities to conduct investigations of hacking, intrusions, and sabotage of U.S. Government computer systems and networks.

In December 1993, due to his outstanding efforts in computer crime investigations he was transferred to NCIS Headquarters to establish a computer crimes department for the agency. Special Agent Parsons and his team, reaching nearly 50 members, developed agency and Department of Navy strategies and capabilities which included immediate reporting requirements upon the slightest indication of a technological or information intrusion. In addition, he and his team worked closely with the National Center for Missing and Exploited Children and Armed Forces Center for Child Protection in the forefront of keeping our Nation's future generation safe from exploitation through child pornography and online predators.

In October 2000, Special Agent Parsons was promoted and transferred to Okinawa, Japan as the Resident Agent-in-Charge. During his tenure in Okinawa he led an office primarily responsible to support U.S. Marine Corps forces and operations throughout the East Asia and Pacific region. He and his team developed a fly-away team concept capable of providing on demand support to operating U.S. Naval forces. This expeditionary team was tested in early October 2002 when a bomb exploded outside a popular restaurant in Zamboanga, Philippines, killing two U.S. military members and injuring 20 others. Within 14 hours of the event, the NCIS Okinawa fly-away team was at the scene providing invaluable criminal and forensic investigative support.

In May 2003, Special Agent Parsons was promoted Special Agent-in-Charge of the NCIS Far East Field Office in Yokosuka, Japan. It was during this assignment that he developed a neighbor-to-neighbor program which forged a bond with the local Japanese community and served as an early warning and indicator of potential criminal or terrorist threats to U.S. military personnel living within the community.

In January 2007, Special Agent Parsons was transferred to NCIS Headquarters where he became the assistant director for financial management and planning. Special Agent Parsons oversaw the agency's strategic planning process, developed financial plans and budget initiatives, and conducted evaluations of office implementation plans and performances.

Demonstrating the extent of his dedication to duty and exceptional character, Special Agent Parsons volunteered for a high risk assignment as the Director of the Multi-National Force-Iraq Strategic Counterintelligence Directorate, SCID, Baghdad, Iraq. Serving in Iraq from December 29, 2007 until June 24, 2008, he led a 109-member joint-service team in a complete strategic refocus of the mission resulting in increased collaboration among assets, increased standardization in reporting, and ultimately better support to the war fighter.

As a testament to his distinguished career, Special Agent Parsons received several awards including the Meritorious Civilian Services Award, the Department of Defense Global War on Terrorism Civilian Service Medal and the NCIS Expeditionary Medal. Special Agent Parsons also received numerous accolades from senior Navy leadership and published six articles regarding computer crime investigations in professional periodicals.

The Navy, the State of Maryland, and the Nation are lucky to have had the service of such a great Special Agent. He will be sorely missed. I wish him and his family all the best as they embark on the next chapter of their lives. Fair winds and following seas!●

CONGRATULATING WILLIAM YUAN

● Mr. SMITH. Madam President, I rise today to congratulate a young man who has not only achieved beyond his years but has also advanced the state of the art of solar power technology. William Yuan of Beaverton, OR, is a seventh grader at Meadow Park Middle School whose achievements are both jaw-dropping and important.

Recently, William earned a $25,000 scholarship from the Davidson Institute and became a Davidson Fellow for his work in renewable energy research. William's project, ''A Highly-Efficient 3–Dimensional Nanotube Solar Cell for Visible and UV Light,'' featured a novel solar panel that enables light absorption from visible to ultraviolet light. The carbon nanotubes William designed can overcome the barriers of electron movement, doubling the light-electricity conversion efficiency. His optimized design provides 500 times more light absorption than commercially available solar cells and nine times more than the cutting-edge, three-dimensional solar cell.

Given the current energy crisis, everyone must pitch in to reduce our dependence on oil consumption. In Congress and in the private sector, we are working to facilitate advancements in renewable energies. However, we cannot be successful without brilliant minds like William's.

Winning the Davidson scholarship is far from William's only achievement. This year alone, William won second place at the Northwest Science Expo, Best Engineering Project at the Institute of Electrical and Electronics Engineers, and second place at the Oregon Chess for Success State Tournament. The list goes on. Last year, William also received a junior black belt pum certification from the World Taekwondo Headquarters in Seoul, Korea. He has also received a number of awards from various Intel Oregon competitions and First Place in Oregon in the Johns Hopkins Center for Talented Youth Talent Search in both quantitative and verbal sections.

At 12 years old, William is only just getting started. He intends to continue his research in renewable energy and eventually select a major for his college study toward a Ph.D. degree. John F. Kennedy once said:

Our nation's first great leaders were also our first great scholars.

I look forward to watching William progress as a scholar and a leader.●

TRIBUTE TO RANDY PAPÉ

● Mr. WYDEN. Madam President, one of the great privileges of public life is meeting people who make a difference through the sheer strength of their personalities and their enthusiasm for wanting to make the world a better place. One of those people was Randy Papé. I rise today to recognize what Randy meant to my State and to me personally.

On Thursday, November 6, Randy died of a heart attack at the all-too-young age of 58. News accounts of his passing referred to Randy as a ''Eugene businessman'' who built his family's small implement business into a regional giant employing 2,000 people in seven States.

But Randy was much more that. He was vintage Oregonian—relentless, effective, and tenacious. To Randy, no project was too big, no public service too small.

He was also my friend, and I will miss him every day.

My most enduring image is of a smiling Randy reacting to some idea that would improve the lives of Oregonians—actually, of everybody—by pumping his arm and saying: ''We've got to do it. We've got to do it.'' The sound of his voice will always be with me, urging me on to embrace the things he believed in with the same enthusiasm.

Randy lived in Eugene all his life, but gave himself to the entire State. Growing his grandfather's business from a local equipment sales operation to a seven-State conglomerate was just a part of what he accomplished. During his life he helped raise nearly $600 million for buildings at his alma mater, the University of Oregon. His tenure on the Oregon Transportation Commission resulted in a $1.3 billion, 10-year program of bridge repair and replacement that remade Interstate 5, the heart of Oregon's transportation system. As head of the United Way of Lane County's fundraising campaign, he set a $1 million goal that everyone thought was impossible and then achieved it. He served on the board of The Nature Conservancy of Oregon, the Oregon Trail Council of Boy Scouts of America, as well as other nonprofit organizations such as the Oregon Business Council Steering Committee.

Randy had two other great passions that can never be overlooked. There was his love for Susie, his wife of 34 years, and their three wonderful and successful sons, Ryan, Christian and Jordan. Then there was his unflagging devotion to the University of Oregon Ducks football team. In fact, Randy and Susie met at a U of O football game in 1971.

This is only a partial list of what Randy helped achieve for my State, but it is a window into who Randy Papé was and what he was capable of doing. His wife described him best: ''He was the most positive person, the most upbeat. He was a joy to live with.''

In 1997, Randy was diagnosed with a severe form of cancer and wasn't expected to live that long. But in true Randy Papé fashion, he fought on, never losing that trademark enthusiasm and determination. In the end, it was not the cancer that took him from us. It was something that, ironically, he had more of than anyone I have ever known his heart.

I know that Randy would take great satisfaction in cheating the cancer that tried to kill him. As his oldest son, Ryan, said: ''I know he's looking down from heaven right now saying, Guys, I beat the cancer.' ''

I would say: ''Randy, of course you did.''

Randy Papé was a great Oregonian who will always have a place in my heart and in the hearts of the thousands of people who knew him and were touched by his unselfishness and dedication to doing the right thing.●

● Mr. SMITH. Madam President, the late Oregon Governor Tom McCall once said:

> Heroes are not giant statues framed against a red sky. They are individuals who say, ''This is my community and it is my responsibility to make it better.''

The community of Eugene and the entire State of Oregon lost a true hero 2 weeks ago with the untimely passing of Randy Papé. I have had the privilege of dealing with countless community leaders during my 12 years in the U.S. Senate, but I can't think of anyone who was more dedicated to making his community, State, and Nation better than was Randy.

As the chief executive officer of The Pape Group, a 2,000-employee, seven-State conglomerate of industrial equipment, aviation and recycling businesses, Randy was one of Oregon's most respected and admired corporate leaders.

Guiding his business empire was more than a full-time job, yet Randy found time to give his talent and treasure to an endless variety of worthy causes. There was no bigger booster of his alma mater, the University of Oregon, than Randy. There was no better cheerleader and fundraiser for the United Way than Randy. As a member of the Oregon Transportation Commission, there was no better advocate for Oregon's roads and highways than Randy. There was no more committed member of the Nature Conservancy of Oregon, and the Oregon Trail Council of Boy Scouts of America than Randy. I had no wiser counselor than Randy.

And above all, there was no one who loved and cherished his family more than Randy.

Randy's wonderful wife, Susie, was at his side for 34 years. She knew him better than anyone else, and she captured him better than anyone else, when she said:

> He was the most positive person, the most upbeat. He was a joy to live with.

Randy was justifiably very proud of his three sons, Ryan, Christian, and Jordan, all of whom chose to follow their dad into the family business, and all of whom inherited his values of honesty, decency, and a dedication to making their community better.

The Greek poet Sophocles, once wrote:

> One must wait until the evening to see how splendid the day has been.'' For his family, his friends, his community, his State, and our Nation, the evening of Randy's life came much, much too soon. But let us take solace in the fact that in that evening, Randy Pape could look back at a life filled with the love of family; a life filled with accomplishment; a life filled with making a positive difference; a life filled with the heroism that came from making his community better, and say: The day has indeed been splendid. ●

MESSAGES FROM THE HOUSE DURING RECESS

Under authority of the order of the Senate of January 4, 2007, the Secretary of the Senate, on October 3, 2008, during the recess of the Senate, received a message from the House of Representatives announcing that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

> H. Con. Res. 442. Concurrent resolution directing the Secretary of the Senate to correct the enrollment of the bill S. 3001.

The message also announced that the House has passed the following bill, without amendment:

> S. 3641. An act to authorize funding for the National Crime Victim Law Institute to provide support for victims of crime under Crime Victims Legal Assistance Programs as a part of the Victims of Crime Act of 1984.

The message further announced that the House has agreed to the following concurrent resolution, without amendment:

> S. Con. Res. 105. Concurrent resolution directing the Clerk of the House to Representatives to correct the enrollment of H.R. 6063.

The message also announced that the House agrees to the amendment of the Senate to the bill (H.R. 5159) to establish the Office of the Capitol Visitor Center within the Office of the Architect of the Capitol, headed by the Chief Executive Officer for Visitor Services, to provide for the effective management and administration of the Capitol Visitor Center, and for other purposes.

The message further announced that the House agrees to the amendment of the Senate to the bill (H.R. 7222) to extend the Andean Trade Preference Act, and for other purposes.

The message also announced that the House agrees to the amendments of the Senate to the concurrent resolution (H. Con. Res. 440) providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

Under authority of the order of the Senate of January 4, 2007, the Secretary of the Senate, on October 3, 2008,

during the recess of the Senate, received a message from the House of Representatives announcing that the House agrees to the amendments of the Senate to the bill (H.R. 1424) to amend section 712 of the Employee Retirement Income Security Act of 1974, section 2705 of the Public Health Service Act, section 9812 of the Internal Revenue Code of 1986 to require equity in the provision of mental health and substance-related disorder benefits under group health plans, to prohibit discrimination on the basis of genetic information with respect to health insurance and employment, and for other purposes.

ENROLLED BILL SIGNED

Under authority of the order of the Senate of January 4, 2007, the Secretary of the Senate, on October 3, 2008, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

H.R. 1424. An act to provide authority for the Federal Government to purchase and insure certain types of troubled assets for the purposes of providing stability to and preventing disruption in the economy and financial system and protecting taxpayers, to amend the Internal Revenue Code of 1986 to provide incentives for energy production and conservation, to extend certain expiring provisions, to provide individual income tax relief, and for other purposes.

Under authority of the order of the Senate of January 4, 2007, the enrolled bill was subsequently signed on October 3, 2008, during the recess of the Senate, by the Acting President pro tempore (Mr. WEBB).

ENROLLED BILLS SIGNED

Under authority of the order of the Senate of January 4, 2007, the Secretary of the Senate, on October 3, 2008, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills:

H.R. 1594. An act to designate the Department of Veterans Affairs Outpatient Clinic in Hermitage, Pennsylvania, as the Michael A. Marzano Department of Veterans Affairs Outpatient Clinic.

H.R. 1714. An act to clarify the boundaries of Coastal Barrier Resources System Clam Pass Unit FL–64P.

H.R. 2095. An act to amend title 49, United States Code, to prevent railroad fatalities, injuries, and hazardous materials releases, to authorize the Federal Railroad Safety Administration, and for other purposes.

H.R. 3480. An act to direct the United States Sentencing Commission to assure appropriate punishment enhancements for those involved in receiving stolen property where that property consists of grave markers of veterans, and for other purposes.

H.R. 3511. An act to designate the facility of the United States Postal Service located at 2150 East Hardtner Drive in Urania, Louisiana, as the ''Murphy A. Tannehill Post Office Building''.

H.R. 4544. An act to require the issuance of medals to recognize the dedication and valor of Native American code talkers.

H.R. 6045. An act to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2012.

H.R. 6063. An act to authorize the programs of the National Aeronautics and Space Administration, and for other purposes.

H.R. 6073. An act to provide that Federal employees receiving their pay by electronic funds transfer shall be given the option of receiving their pay stubs electronically.

H.R. 6083. An act to authorize funding to conduct a national training program for State and local prosecutors.

H.R. 6199. An act to designate the facility of the United States Postal Service located at 245 North Main Street in New York City, New York, as the ''Kenneth Peter Zebrowski Post Office Building''.

H.R. 6229. An act to designate the facility of the United States Postal Service located at 2523 7th Avenue East in North Saint Paul, Minnesota, as the ''Mayor William 'Bill' Sandberg Post Office Building''.

H.R. 6296. An act to extend through 2013 the authority of the Federal Election Commission to impose civil money penalties on the basis of a schedule of penalties established and published by the Commission.

H.R. 6338. An act to designate the facility of the United States Postal Service located at 4233 West Hillsboro Boulevard in Coconut Creek, Florida, as the ''Army SPC Daniel Agami Post Office Building''.

H.R. 6353. An act to amend the Controlled Substances Act to address online pharmacies.

H.R. 6524. An act to authorize the Administrator of General Services to take certain actions with respect to parcels of real property located in Eastlake, Ohio, and Koochiching County, Minnesota, and for other purposes.

H.R. 6531. An act to amend chapter 13 of title 17, United States Code (relating to the vessel hull design protection), to clarify the definitions of a hull and a deck.

H.R. 6681. An act to designate the facility of the United States Postal Service located at 300 Vine Street in New Lenox, Illinois, as the ''Jacob M. Lowell Post Office Building''.

H.R. 6847. An act to designate the facility of the United States Postal Service located at 801 Industrial Boulevard in Ellijay, Georgia, as the ''First Lieutenant Noah Harris Ellijay Post Office Building''.

H.R. 6874. An act to designate the facility of the United States Postal Service located at 156 Taunton Avenue in Seekonk, Massachusetts, as the ''Lance Corporal Eric Paul Valdepenas Post Office Building''.

H.R. 7081. An act to approve the United States-India Agreement for Cooperation on Peaceful Uses of Nuclear Energy, and for other purposes.

H.R. 7082. An act to amend the Internal Revenue Code of 1986 to permit the Secretary of the Treasury to disclose certain prisoner return information to the Federal Bureau of Prisons, and for other purposes.

H.R. 7084. An act to amend section 114 of title 17, United States Code, to provide agreements for the reproduction and performance of sound recordings by webcasters.

H.R. 7177. An act to authorize the transfer of naval vessels to certain foreign recipients, and for other purposes.

H.R. 7198. An act to establish the Stephanie Tubbs Jones Gift of Life Medal for organ donors and the family of organ donors.

S. 3001. An act to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

S. 3641. An act to authorize funding for the National Crime Victim Law Institute to provide support for victims of crime under Crime Victims Legal Assistance Programs as a part of the Victims of Crime Act of 1984.

Under authority of the order of the Senate of January 4, 2007, the enrolled bills were subsequently signed on October 3, 2008, during the recess of the Senate, by the Acting President pro tempore (Mr. WEBB).

Under authority of the order of the Senate of January 4, 2007, the Secretary of the Senate, on October 6, 2008, during the recess of the Senate, at 2:25 p.m., received a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announcing that the House has passed the following bill, without amendment:

S. 3197. An act to amend title 11, United States Code, to exempt for a limited period, from the application of the means-test presumption of abuse under chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days.

The message further announced that pursuant to section 491 of the Higher Education Act (20 U.S.C. 1098(c)), and the order of the House of January 4, 2007, the Speaker appoints the following members on the part of the House of Representatives to the Advisory Committee on Student Financial Assistance for a term of three years: Upon the recommendation of the Majority Leader, Ms. Helen Benjamin of Vallejo, California; upon the recommendation of the Minority Leader, Mr. Anthony Guida of Pittsburgh, Pennsylvania.

Under the authority of the order of the Senate of January 4, 2007, the Secretary of the Senate, on October 6, 2008, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. VAN HOLLEN) had signed the following enrolled bills and joint resolution:

H.R. 4010. An act to designate the facility of the United States Postal Service located at 100 West Percy Street in Indianola, Mississippi, as the ''Minnie Cox Post Office Building.''

H.R. 4131. An act to designate a portion of California State Route 91 located in Los Angeles County, California, as the ''Juanita Millender-McDonald Highway.''

H.R. 5159. An act to establish the Office of the Capitol Visitor Center within the Office of the Architect of the Capitol, headed by the Chief Executive Officer for Visitor Services, to provide for the effective management and administration of the Capitol Visitor Center, and for other purposes.

H.R. 6197. An act to designate the facility of the United States Postal Service located at 7095 Highway 57 in Counce, Tennessee, as the ''Pickwick Post Office Building.''

H.R. 6469. An act to amend the Public Health Service Act to authorize increased Federal funding for the Organ Procurement and Transplantation Network.

H.R. 6558. An act to designate the facility of the United States Postal Service located at 1750 Lundy Avenue in San Jose, California, as the ''Gordon N. Chan Post Office Building.''

H.R. 6834. An act to designate the facility of the United States Postal Service located

at 4 South Main Street in Wallingford, Connecticut, as the ''CWO Richard R. Lee Post Office Building.''

H.R. 6902. An act to designate the facility of the United States Postal Service located at 513 6th Avenue in Dayton, Kentucky, as the ''Staff Sergeant Nicholas Ray Carnes Post Office.''

H.R. 6982. An act to designate the facility of the United States Postal Service located at 210 South Ellsworth Avenue in San Mateo, California, as the ''Leo J. Ryan Post Office Building.''

H.R. 7222. An act to extend the Andean Trade Preference Act, and for other purposes.

H. J. Res. 100. Joint resolution appointing the day for the convening of the first session of the One Hundred Eleventh Congress and establishing the date for the counting of the electoral votes for President and Vice President case by the electors in December 2008.

Under the authority of the Senate of January 4, 2007, the Secretary of the Senate, the enrolled bill was subsequently signed on October 6, 2008, during the recess of the Senate, by the President pro tempore (Mr. BYRD).

Under the authority of the order of the Senate of January 4, 2007, the Secretary of the Senate, on October 8, 2008, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. VAN HOLLEN) had signed the following enrolled bill:

S. 3197. An act to amend title 11, United States Code, to exempt for a limited period, from the application of the means-test presumption of abuse under chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard, who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days.

Under the authority of the Senate of January 4, 2007, the Secretary of the Senate, the enrolled bill was subsequently signed on October 8, 2008, during the recess of the Senate, by the President pro tempore (Mr. BYRD).

MESSAGE FROM THE HOUSE

At 12:02 p.m., a message from the House of Representatives, delivered by Mr. Zapata, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5714. An act to require the Secretary of the Treasury to mint coins in recognition and celebration of the establishment of the United States Army in 1775, to honor the American soldier of both today and yesterday, in wartime and in peace, and to commemorate the traditions, history, and heritage of the United States Army and its role in American society, from the Colonial period to today.

H.R. 6867. An act to provide for additional emergency unemployment compensation.

H.R. 7221. An act to amend the McKinney-Vento Homeless Assistance Act to reauthorize the Act, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 435. Concurrent resolution authorizing the use of Emancipation Hall on December 2, 2008, for ceremonies and activities held in connection with the opening of the Capitol Visitor Center to the public.

The message further announced that the House has passed the bill (S. 602) to develop the next generation of parental control technology, with an amendment, in which it requests the concurrence of the Senate.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 6867. An act to provide for additional emergency unemployment compensation.

H.R. 7110. An act making supplemental appropriations for job creation and preservation, infrastructure investment, and economic and energy assistance for the fiscal year ending September 30, 2009, and for other purposes.

S. 3688. A bill to provide for additional emergency unemployment compensation, to amend the Emergency Economic Stabilization Act of 2008 to authorize loans to automobile manufacturers and component suppliers, and for other purposes.

S. 3689. A bill making supplemental appropriations for job creation and preservation, infrastructure investment, and economic and energy assistance for the fiscal year ending September 30, 2009, and for other purposes.

ENROLLED BILLS PRESENTED DURING RECESS

The Assistant Secretary of the Senate reported that she had presented to the President of the United States the following enrolled bills:

On October 3, 2008:

S. 431. An act to require convicted sex offenders to register online identifiers, and for other purposes.

S. 906. An act to prohibit the sale, distribution, transfer, and export of elemental mercury, and for other purposes.

S. 1276. An act to facilitate the creation of methamphetamine precursor electronic logbook systems, and for other purposes.

S. 2304. An act to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide grants for the improved mental health treatment and services provided to offenders with mental illnesses, and for other purposes.

S. 3296. An act to extend the authority of the United States Supreme Court Police to protect court officials off the Supreme Court Grounds and change the title of the Administrative Assistant to the Chief Justice.

S. 3477. An act to amend title 44, United States Code, to authorize grants for Presidential Centers of Historical Excellence.

S. 3536. An act to amend section 5402 of title 39, United States Code, to modify the authority relating to United States Postal Service air transportation contracts, and for other purposes.

S. 3550. An act to designate a portion of the Rappahannock River in the Commonwealth of Virginia as the ''John W. Warner Rapids''.

S. 3598. An act to amend titles 46 and 18, United States Code, with respect to the operation of submersible vessels and semi-submersible vessels without nationality.

S. 3605. An act to extend the pilot program for volunteer groups to obtain criminal history background checks.

On October 6, 2008:

S. 3001. An act to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

S. 3641. An act to authorize funding for the National Crime Victim Law Institute to provide support for victims of crime under Crime Victims Legal Assistance Programs as a part of the Victims of Crime Act of 1984.

On October 9, 2008:

S. 3197. An act to amend title 11, United States Code, to exempt for a limited period, from the application of the means-test presumption of abuse under chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard, who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days.

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–8244. A communication from the President of the United States, transmitting, pursuant to section 115(a)(2) of the Emergency Economic Stabilization Act of 2008 (Public Law 110–343) (the ''Act''), certifying the necessity for the Secretary of the Treasury to exercise the authority granted under the Act to purchase, or commit to purchase, troubled assets up to the limit of $350 billion outstanding at any one time; to the Committee on Banking, Housing, and Urban Affairs.

EC–8245. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the Export Administration Regulations based upon a Systematic Review of the CCL'' (RIN0694–AE33) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8246. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Wassenaar Arrangement Plenary Agreements Implementation: December 2007 Categories 1, 2, 3, 5 Parts I and II, 6, 7, and 9 of the Commerce Control List, Definitions; December 2006 Solar Cells'' (RIN0694–AE29) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8247. 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 ''Transactions Between Member Banks and Their Affiliates: Exemption for Certain Purchases of Asset-Backed Commercial Paper by a Member Bank from an Affiliate'' (Docket No. R–1331) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8248. 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 ''Risk-Based Capital Guidelines; Leverage Capital Guidelines'' (Docket No. 1332) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8249. 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 ''Rules of Practice for Hearings'' (Docket No. R–1333) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8250. A communication from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Fair Housing and Nondiscrimination on the Basis of Disability'' (RIN3064–AD31) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8251. A communication from the Chairman, National Labor Relations Board, transmitting, pursuant to law, the report of two violations of the Antideficiency Act; to the Committee on Appropriations.

EC–8252. A communication from the Director, Defense Procurement, Acquisition Policy, and Strategic Sourcing, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement; Evaluation Factor for Use of Members of the Selected Reserve'' (RIN0750–AF40) in the Office of the President of the Senate on received on October 14, 2008; to the Committee on Armed Services.

EC–8253. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Robert W. Wagner, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–8254. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General William S. Wallace, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–8255. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting the report of (2) officers authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–8256. A communication from the Chairman, Federal Communications Commission, transmitting, pursuant to law, a report relative to the Commission's Strategic Plan for fiscal years 2009 to 2014; to the Committee on Commerce, Science, and Transportation.

EC–8257. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 of the Gulf of Alaska'' (RIN0648–XK25) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8258. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XJ94) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8259. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch for Vessels in the Bering Sea and Aleutian Islands Trawl Limited Access Fishery in the Western Aleutian District of the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XK77) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8260. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Closure of the Directed Butterfish Fishery'' (RIN0648–XK16) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8261. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries in the Western Pacific; Bottomfish and Seamount Groundfish Fisheries; Main Hawaiian Islands Bottomfish; Delay of Fishery Opening'' (RIN0648–AX19) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8262. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments'' ((RIN2120–AA65)(Docket No. 30622)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8263. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments'' ((Docket No. 30625)(Amendment No. 3285)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8264. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Congestion Management Rule for John F. Kennedy International Airport and Newark Liberty International Airport'' ((RIN2120–AJ28)(Docket No. FAA–2008–0517)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8265. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments'' ((Docket No. 30623)(Amendment No. 3283)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8266. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; EADS SOCATA Model TBM 700 Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0974)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8267. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Engine Components, Inc. (ECi) Reciprocating Engine Cylinder Assemblies'' ((RIN2120–AA64)(Docket No. FAA–2008–0052)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8268. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 777–200 and –300 Series Airplanes Equipped with Rolls-Royce Model RB211–TRENT 800 Series Engines'' ((RIN2120–AA64)(Docket No. FAA–2008–0967)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8269. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–135BJ Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0416)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8270. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification and Establishment of Restricted Areas and Other Special Use Airspace, Adirondack Airspace Complex; Fort Drum, NY'' ((RIN2120–AA66)(Docket No. FAA–2006–26192)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8271. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Low Altitude Area Navigation Routes (T-Routes); Sacramento and San Francisco, CA'' ((Docket No. FAA–2008–0037)(Airspace Docket No. 07–AWP–6)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8272. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revocation of Class E Airspace; Luke AFB, Phoenix, AZ'' ((Docket No. FAA–2008–0204)(Airspace Docket No. 08–AWP–5)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8273. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter Deutschland GMBH Model MBB–BK 117C–2 Helicopters'' ((RIN2120–AA64)(Docket No. FAA–2008–0042)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8274. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous

Amendments'' ((Docket No. 30617)(Amendment No. 3277)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8275. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Area Navigation Route Q–110 and Jet Route J–73; Florida'' ((Docket No. FAA–2008–0187)(Airspace Docket No. 07–ASO–27)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8276. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dassault Model Falcon 2000EX Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0294)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8277. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; EADS SOCATA Model TBM 700 Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0748)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8278. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; British Aerospace Regional Aircraft Model HP.137 Jetstream Mk.1, Jetstream Series 200 and 3101, and Jetstream Model 3201 Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0369)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8279. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; ''Dassault Model Falcon 2000EX and 900EX Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0301)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8280. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Viking Air Limited Models DHC–6–1, DHC–6–100, DHC–6–200, and DHC–6–300 Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0368)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8281. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Services, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Endangered Fish and Wildlife; Final Rule to Implement Speed Restrictions to Reduce the Threat of Ship Collisions With North Atlantic Right Whales'' (RIN0648–AS36) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8282. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pilatus Aircraft Ltd. PC–6 Series Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0493)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8283. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class D Airspace; Albuquerque, NM'' ((Docket No. FAA–2007–0915)(Airspace Docket No. 07–ASW–13)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8284. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Indianapolis, IN'' ((Docket No. FAA–2008–0163)(Airspace Docket No. 08–AGL–2)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8285. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Area Navigation Route Q–110 and Jet Route J–73; Florida; Correction'' ((Docket No. FAA–2008–0187)(Airspace Docket No. 07–ASO–27)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8286. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class D Airspace; San Bernardino International Airport, San Bernardino, CA'' ((Docket No. FAA–2008–0211)(Airspace Docket No. 08–AWP–3)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8287. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Hinton, OK; Confirmation of Effective Date'' ((Docket No. FAA–2008–0328)(Airspace Docket No. 08–ASW–4)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8288. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Milford, PA'' ((Docket No. FAA–2008–0160)(Airspace Docket No. 08–AEA–13)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8289. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Standards; Engine Control System Requirements'' (RIN2120–AI94) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8290. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Performance and Handling Qualities Requirements for Rotorcraft; Correcting Amendment'' (RIN2120–AH87) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8291. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Congestion Management Rule for LaGuardia Airport'' (RIN2120–AI70) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8292. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A330–200, A330–300, and A340–300 Series Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0672)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8293. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier Model DHC–8–400 Series Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0356)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8294. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 170 and ERJ 190 Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0562)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8295. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; McDonnell Douglas Model 717–200 Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0407)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8296. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bell Helicopter Textron Canada Model 222, 222B, 222U, 230, and 430 Helicopters'' ((RIN2120–AA64)(Docket No. FAA–2008–0449)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8297. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dassault Model Falcon 10 Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0674)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8298. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Low Altitude Area Navigation Route (T–Route); Southwest Oregon'' ((Docket No. FAA–2008–0419)(Airspace Docket No. 08–ANM–3)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8299. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establish Class E Airspace; Point

Roberts, WA'' ((Docket No. FAA–2007–29036)(Airspace Docket No. 07–ANM–13)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8300. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Change of Using Agency for Restricted Area R–3807, Glencoe, LA'' ((RIN2120–AA66)(Docket No. FAA–2008–0939)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8301. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Restricted Area 5107A; White Sands Missile Range, NM'' ((RIN2120–AA66)(Docket No. FAA–2008–0628)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8302. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; IFR Altitudes; Miscellaneous Amendments'' ((Docket No. 30626)(Amendment No. 476)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8303. A communication from the Staff Assistant, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Insurer Reporting Requirements; List of Insurers Required To File Reports'' (RIN2127–AK30) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8304. A communication from the Staff Assistant, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Federal Motor Vehicle Theft Prevention Standard; Final Listing of 2009 Light Duty Truck Lines Subject to the Requirements of This Standard and Exempted Vehicle Lines for Model Year 2009'' (RIN2127–AK31) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8305. A communication from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Permits; Changes in the Regulations Governing Falconry'' (RIN1018–AG11) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Environment and Public Works.

EC–8306. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Texas; Reasonable Further Progress Plan, Motor Vehicle Emissions Budgets, and Revised 2002 Base Year Emissions Inventory; Dallas/Fort Worth 1997 8-Hour Ozone Nonattainment Area'' ((EPA–R06–OAR–2007–0525)(FRL–8726–2)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Environment and Public Works.

EC–8307. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Louisiana; Approval of Section 110(a)(1) Maintenance Plans for the 1997 8-Hour Ozone Standard for the Parishes of Calcasieu and St. James'' ((EPA–R06–OAR–2007–0659)(FRL–8727–2)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Environment and Public Works.

EC–8308. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Consumer and Commercial Products, Group IV: Control Techniques Guidelines in Lieu of Regulations for Miscellaneous Metal Products Coatings, Plastic Parts Coatings, Auto and Light-Duty Truck Assembly Coatings, Fiberglass Boat Manufacturing Materials, and Miscellaneous Industrial Adhesives'' (RIN2060–AP01) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Environment and Public Works.

EC–8309. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Cymoxanil; Pesticide Tolerances'' ((EPA–HQ–OPP–2007–1191)(FRL–8382–9)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Environment and Public Works.

EC–8310. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''The Treatment of Data Influenced by Exceptional Events (Exceptional Event Rule): Revised Exceptional Event Data Flagging Submittal and Documentation Schedule to Support Initial Area Designations for the 2008 Ozone NAAQS'' ((EPA–HQ–OAR–2005–0159)(FRL–8725–5)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Environment and Public Works.

EC–8311. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans: Alabama: Approval of Revisions to the Visible Emissions Rule'' ((EPA–R04–OAR–2005–AL–0002–200819)(FRL–8727–7)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Environment and Public Works.

EC–8312. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Designation of Areas for Air Quality Planning Purposes; State of California; PM–10; Revision of Designation; Redesignation of the San Joaquin Valley Air Basin PM–10 Nonattainment Area to Attainment; Approval of PM–10 Maintenance Plan for the San Joaquin Valley Air Basin; Approval of Commitments for the East Kern PM–10 Nonattainment Area'' ((EPA–R09–OAR–2008–0306)(FRL–8724–7)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Environment and Public Works.

EC–8313. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Cyprosulfamide; Pesticide Tolerances'' ((EPA–HQ–OPP–2008–0042)(FRL–8377–4)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Environment and Public Works.

EC–8314. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Final Exclusion'' ((EPA–R06–RCRA–2008–0418)(FRL–8727–8)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Environment and Public Works.

EC–8315. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Pesticide Tolerance Nomenclature Changes; Technical Amendments'' ((EPA–HQ–OPP–2002–0043)(FRL–8376–1)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Environment and Public Works.

EC–8316. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Thiencarbazone-methyl; Pesticide Tolerances'' ((EPA–HQ–OPP–2008–0132)(FRL–8382–7)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Environment and Public Works.

EC–8317. A communication from the Chief of the Endangered Species Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the San Bernardino Kangaroo Rat (Dipodomys merriami parvus)'' (RIN1018–AV07) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Environment and Public Works.

EC–8318. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the Commission's fourth report on Government dam use charges; to the Committee on Energy and Natural Resources.

EC–8319. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Pennsylvania Regulatory Program'' (Docket No. PA–152–FOR) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Energy and Natural Resources.

EC–8320. A communication from the Assistant Secretary of Land and Minerals Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Royalty Relief for Deepwater Outer Continental Shelf Oil and Gas Leases—Conforming Regulations to Court Decision'' (RIN1010–AD29) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Energy and Natural Resources.

EC–8321. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Qualifying Gasification Project Program'' (Notice 2008–97) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Finance.

EC–8322. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Extension of Replacement Period for Livestock Sold on Account of Drought in Specified Counties'' (Notice 2008–86) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Finance.

EC–8323. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability''

(Rev. Proc. 2008–60) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Finance.

EC–8324. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Extension of Effective Date of Normal Retirement Age Regulations for Governmental Plans'' (Notice 2008–98) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Finance.

EC–8325. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Charitable Contributions of Inventory Property Under Section 170(e)(3)'' (Notice 2008–90) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Finance.

EC–8326. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Insurance-Dedicated Money Market Funds—Temporary Guarantee Program for Money Market Funds—Government Not the ''Issuer'' for Purposes of Testing Diversification'' (Notice 2008–92) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Finance.

EC–8327. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates'' (Notice 2008–93) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Finance.

EC–8328. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Tier I Issue—Government Settlements Directive #3'' (LMSB Control No. 4–0908–046) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Finance.

EC–8329. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule relative to the classification of Indian tribal entities that the Internal Revenue Service recognizes as Indian Tribal Governments under Internal Revenue Code Section 7871 and Section 7701(a)(40) (Rev. Proc. 2008-55) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Finance.

EC–8330. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Application of Section 382 in the Case of Certain Acquisitions Made by the United States'' (Notice 2008–84) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Finance.

EC–8331. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Capital Contributions Under Section 382(I)(1)'' (Notice 2008–78) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Finance.

EC–8332. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule relative to bankruptcy and securities loans (Rev. Proc. 2008–63) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Finance.

EC–8333. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule relative to the procedures for obtaining approval to use plan-specific substitute mortality tables (Rev. Proc. 2008–62) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Finance.

EC–8334. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Application of Section 382(h) to Banks'' (Notice 2008–83) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Finance.

EC–8335. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicaid Program; Multiple Source Drug Definition'' (RIN0938–AP26) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Finance.

EC–8336. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicaid Integrity Program; Eligible Entity and Contracting Requirements for the Medicaid Integrity Audit Program'' (RIN0938–AO97) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Finance.

EC–8337. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Termination of Non-Random Prepayment Complex Medical Review'' (RIN0938–AN31) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Finance.

EC–8338. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled ''Annual Report on Assistance Related to International Terrorism; Fiscal Year 2007''; to the Committee on Foreign Relations.

EC–8339. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled ''Report and Justification Pursuant to Section 650(d) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008, as carried forward under the Supplemental Appropriations Act, 2008''; to the Committee on Foreign Relations.

EC–8340. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed transfer of major defense equipment from Pakistan to Diehl Raytheon, Germany; to the Committee on Foreign Relations.

EC–8341. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad and the export of defense services and defense articles in the amount of $100,000,000 or more to Canada; to the Committee on Foreign Relations.

EC–8342. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles and defense services in the amount of $50,000,000 or more to Bahrain; to the Committee on Foreign Relations.

EC–8343. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad with Australia and the United Kingdom; to the Committee on Foreign Relations.

EC–8344. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement to include the export of technical data, defense services, and defense articles in the amount of $50,000,000 or more with Belgium; to the Committee on Foreign Relations.

EC–8345. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including technical data, and defense services in the amount of $50,000,000 or more with Chile; to the Committee on Foreign Relations.

EC–8346. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of technical data, defense services, and defense articles in the amount of $50,000,000 or more with Malaysia, France, and the United Kingdom; to the Committee on Foreign Relations.

EC–8347. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Program Evaluation Activities of the U.S. Department of Health and Human Services - Performance Improvement 2008''; to the Committee on Health, Education, Labor, and Pensions.

EC–8348. A communication from the Program Manager, National Institutes of Health, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Standards of Care for Chimpanzees Held in the Federally Supported Chimpanzee Sanctuary System'' (RIN0925–AA31) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–8349. A communication from the Program Manager, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''National Vaccine Injury Compensation Program: Removal of Separate Category for Vaccines Containing Live, Oral, Rhesus-Based Rotavirus From the Vaccine Injury Table'' (RIN0906–AA55) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–8350. A communication from the Program Manager, Centers for Medicaid & Medicare Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Exemption

of Certain Systems of Records Under the Privacy Act'' (RIN0938–AO69) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–8351. A communication from the Program Manager, Administration for Children and Families, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medical Examination of Aliens – Revisions to Medical Screening Process'' (RIN0920–AA20) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–8352. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Selection of Annuity Providers – Safe Harbor for Individual Account Plans'' (RIN1210–AB19) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–8353. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Interpretive Bulletin 95–1'' (RIN1210–AB22) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–8354. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Amendments to Safe Harbor for Distributions From Terminated Individual Account Plans and Termination of Abandoned Individual Account Plans To Require Inherited Individual Retirement Plans for Missing Nonspouse Beneficiaries'' (RIN1210–AB16) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–8355. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Statutory Exemption for Cross-Trading of Securities'' (RIN1210–AB17) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–8356. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Adoption of Amendment to Prohibited Transaction Exemption 2006–06; (PTE 2006–06) For Services Provided in Connection With the Termination of Abandoned Individual Account Plans'' (RIN1210–ZA12) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–8357. A communication from the Acting Director, Strategic Human Resources Policy, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Federal Employees Group Life Insurance, Federal Acquisition Regulation: Board of Contract Appeals'' (RIN3206–AL46) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–8358. A communication from the Acting Director, Strategic Human Resources Policy, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Federal Employees Health Benefits, Acquisition Regulation: Board of Contract Appeals'' (RIN3206–AL35) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–8359. A communication from the Acting Director, Office of General Counsel, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Testimony by OPM Employees Relating to Official Information and Production of Official Records in Legal Proceedings'' (RIN3206–AL22) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–8360. A communication from the Senior Procurement Executive, Office of the Chief Acquisition Officer, General Services Administration, Department of Defense, and National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–27'' (FAC 2005–27) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–8361. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–535, ''Taxicab Company, Association, and Fleet and Limousine License Moratorium Amendment Act of 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–8362. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–534, ''Performance Parking Pilot Zone Act of 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–8363. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–533, ''City Market at O Street Tax Increment Financing Act of 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–8364. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–531, ''Targeted Historic Housing Preservation Assistance Temporary Amendment Act of 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–8365. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–530, ''Washington Parks & People Equitable Real Property Tax Relief Temporary Act of 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–8366. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–529, ''Designated Appropriation Allocations Temporary Amendment Act of 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–8367. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–528, ''Vacancy Exemption Repeal Clarification Temporary Amendment Act of 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–8368. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–527, ''Contract No. DCTO–2007–C–0036 Approval and Payment Authorization Act of 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–8369. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–526, ''Fire Chief Burton W. Johnson Building Designation Act of 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–8370. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–525, ''Appointed Attorney Compensation Act of 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–8371. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–524, ''Title 22 Amendment Act of 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–8372. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–523, ''Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act of 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–8373. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–522, ''Pedestrian Safety Reinforcement Amendment Act of 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–8374. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–521, ''Jackson H. Gerhart House Designation Act of 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–8375. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–520, ''Lola Beaver Memorial Park Designation Act of 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–8376. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–517, ''Bolling Air Force Base Military Housing Real Property Tax Exemption and Equitable Tax Relief Temporary Act of 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–8377. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–516, ''Waterside Mall and Fourth Street, S.W., Redevelopment and Reconstruction Temporary Act of 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–8378. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–515, ''Old Naval Hospital Grant Temporary Amendment Act of 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–8379. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–514, ''Public Space Rental Fees Temporary Amendment Act of 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–8380. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–513, ''Downtown Retail Tax Increment Financing Amendment Act of 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–8381. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–512, ''Marvin Gaye Way Designation Act of 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–8382. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–511, ''Defined Contribution Plan Modifications for the Director of the Department of Corrections Devon Brown Amendment Act of 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–8383. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–510, ''Trash Collection Noise Violations Abatement Act of 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–8384. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–506, ''MVS Inc., Payment Authorization Act of 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–8385. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–505, ''Maury Wills Baseball Field Designation Act of 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–8386. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–504, ''Lauzun's Legion Bridge Designation Act of 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–8387. A communication from the Director of Legislative Affairs, Office of the Director of National Intelligence, transmitting, pursuant to law, a report relative to the resignation and vacancy of Associate Director of National Intelligence and Chief Information Officer, received in the Office of the President of the Senate on October 14, 2008; to the Select Committee on Intelligence.

EC–8388. A communication from the Regulatory and Policy Specialist, Bureau of Indian Affairs, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Homeliving Programs'' (RIN1076–AE51) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Indian Affairs.

EC–8389. A communication from the Regulatory and Policy Specialist, Bureau of Indian Affairs, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Irrigation Operation and Maintenance'' (RIN1076–AD44) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Indian Affairs.

EC–8390. A communication from the Director, Executive Office for United States Trustees, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Procedures for Completing Uniform Forms of Trustee Final Reports in Cases Filed Under Chapters 7, 12, and 13 of the Bankruptcy Code'' (RIN1105–AB29) received in the Office of the President of the Senate on October 14, 2008; to the Committee on the Judiciary.

EC–8391. A communication from the Director of Regulations Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Dental Care—Provision of One-Time Outpatient Dental Care for Certain Veterans'' (RIN2900–AM95) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Veterans' Affairs.

EC–8392. A communication from the Director of Regulations Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Grants to States for Construction and Acquisition of State Home Facilities'' (RIN2900–AJ43) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Veterans' Affairs.

EC–8393. A communication from the Assistant Secretary of Defense (Health Affairs), transmitting, pursuant to law, a report relative to the evaluation of Polytrauma Liaison/Noncommissioned Officer Program; to the Committee on Armed Services.

EC–8394. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General Bruce A. Carlson, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–8395. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency declared in Executive Order 12978 with respect to significant narcotics traffickers centered in Colombia; to the Committee on Banking, Housing, and Urban Affairs.

EC–8396. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13413 of October 27, 2006, relative to the Democratic Republic of the Congo; to the Committee on Banking, Housing, and Urban Affairs.

EC–8397. A communication from the Board of Directors, HOPE for Homeowners Program, transmitting, pursuant to law, the report of a rule entitled ''HOPE for Homeowners Program: Program Regulations'' (RIN2580–AA00) received in the Office of the President of the Senate on October 16, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8398. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' ((73 FR 55442)(44 CFR Part 67)) received in the Office of the President of the Senate on October 16, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8399. A communication from the Acting Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Disclosure of Short Sales and Short Positions By Institutional Investment Managers'' (RIN3235–AK23) received in the Office of the President of the Senate on October 16, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8400. A communication from the Acting Secretary, Division of Trading and Markets, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendments to Regulation SHO'' (RIN3235–AK22) received in the Office of the President of the Senate on October 16, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8401. A communication from the Acting Secretary, Division of Trading and Markets, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''''Naked' Short Selling Antifraud Rule'' (RIN3235–AK06) received in the Office of the President of the Senate on October 16, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8402. A communication from the Acting Secretary, Division of Trading and Markets, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendments to Regulation SHO'' (RIN3235–AJ57) received in the Office of the President of the Senate on October 16, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8403. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Pacific Halibut Fisheries; Guided Sport Charter Vessel Fishery for Halibut'' (RIN0648–AX21) received in the Office of the President of the Senate on October 16, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8404. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Recordkeeping and Reporting'' (RIN0648–AW28) received in the Office of the President of the Senate on October 16, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8405. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Pacific Halibut Fisheries; Subsistence Fishing'' (RIN0648–AU14) received in the Office of the President of the Senate on October 16, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8406. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Deep-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska'' (RIN0648–XK53) received in the Office of the President of the Senate on October 16, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8407. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Inseason Action to allow use of the Ruhle Trawl in the Eastern U.S./Canada Area'' (RIN0648–XJ76) received in the Office of the President of the Senate on October 16, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8408. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska'' (RIN0648–XK72) received in the Office of the President of the Senate on October 16, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8409. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Closure'' (RIN0648–XK61) received in the Office of the President of the Senate on October 16, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8410. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Area 620 in the Gulf of

Alaska'' (RIN0648–XK32) received in the Office of the President of the Senate on October 16, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8411. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; Commercial Quota Harvested for Massachusetts'' (RIN0648–XK04) received in the Office of the President of the Senate on October 16, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8412. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''An Inquiry Into the Commission's Policies and Rules Regarding AM Radio Service Directional Antenna Performance Verification'' ((FCC 08–228)(MM Docket No. 93–177)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8413. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations (Wittenberg, Wisconsin)'' ((DA 08–2160)(MB Docket No. 08–136)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8414. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations (Vanderbilt, Michigan)'' ((DA 08–1858)(MB Docket No. 08–204)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8415. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations (Greenville, North Carolina)'' ((DA 08–2148)(MB Docket No. 08–133)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8416. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Carriage of Digital Television Broadcast Signals: Amendment to Part 76 of the Commission's Rules'' ((FCC 08–193)(CS Docket No. 98–120)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8417. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations (Longview, Texas)'' ((DA 08–2065)(MB Docket No. 08–112)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8418. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations (Shreveport, Louisiana)'' ((DA 08–2032) (MB Docket No. 08–118)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8419. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations (Salt Lake City, Utah)'' ((DA 08–2066)(MB Docket No. 08–144)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8420. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations (Freeport, Illinois)'' ((DA 08–2067) (MB Docket No. 08–135)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8421. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including technical data, and defense services in the amount of $50,000,000 or more to the Republic of Korea; to the Committee on Foreign Relations.

EC–8422. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the status of the Government of Cuba's compliance with the United States–Cuba September 1994 ''Joint Communique'' and the treatment of persons returned to Cuba in accordance with the United States–Cuba May 1995 ''Joint Statement''; to the Committee on Foreign Relations.

EC–8423. A communication from the Secretary of Agriculture and the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Report to Congress on Thefts, Losses, or Releases of Select Agents or Toxins For Calendar Year 2007''; to the Committee on Health, Education, Labor, and Pensions.

EC–8424. A communication from the Deputy Assistant Secretary of the Office of Labor–Management Standards, Employment Standards Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Guidelines for Processing Applications for Assistance To Conform to Sections 3013(h) and 3031 of the Safe, Accountable, Flexible, and Efficient Transportation Equity Act – A Legacy for Users and To Improve Processing for Administrative Efficacy'' (RIN1215–AB58) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–8425. A communication from the Deputy Assistant Secretary of the Office of Labor–Management Standards, Employment Standards Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Labor Organization Annual Financial Reports for Trusts in Which a Labor Organization Is Interested, Form T–1'' (RIN1215–AB64) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–8426. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Announcement of the Delegation of Partial Administrative Authority for Implementation of Federal Implementation Plan for Coeur d' Alene Reservation to the Coeur d' Alene Tribe'' ((EPA–R10–OAR–2008–0498) (FRL–8729–3)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Environment and Public Works.

EC–8427. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Texas; Dallas/Fort Worth 1-Hour Ozone Nonattainment Area; Determination of Attainment of the 1–Hour Ozone Standard'' ((EPA–R06–OAR–2008–0420)(FRL–8730–3)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Environment and Public Works.

EC–8428. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; Approval of Rule Clarifications'' ((EPA–R05–OAR–2008–0389) (FRL–8711–3)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Environment and Public Works.

EC–8429. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Alaska; Interstate Transport of Pollution'' ((EPA–R10–OAR–2008–0166) (FRL–8728–1)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Environment and Public Works.

EC–8430. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Control of Hazardous Air Pollutants From Mobile Sources: Early Credit Technology Requirement Revision'' ((EPA–HQ–2005–0036) (RIN2060–A089)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Environment and Public Works.

EC–8431. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Extension of Cross–Media Electronic Reporting Rule Deadline for Authorized Programs'' ((EPA–HQ–OEI–2003–0001) (FRL–8730–8)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Environment and Public Works.

EC–8432. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the Definition of Solid Waste'' ((EPA–HQ–RCRA–2002–0031) (FRL–8728–9)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Environment and Public Works.

EC–8433. A communication from the Acting Director, Strategic Human Resources Policy, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Disabled Veterans Documentation'' (RIN3206–AL29) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–8434. A communication from the Chairman and CEO, Farm Credit Administration, transmitting, pursuant to law, a report relative to the Administration's inventory of commercial activities; to the Committee on Homeland Security and Governmental Affairs.

EC–8435. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''Eastern Market Management and Oversight Continues to Need Substantial Improvement''; to the Committee on Homeland Security and Governmental Affairs.

EC–8436. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''Audit of Public Service Commission Agency Fund for Fiscal Year 2003''; to the Committee on Homeland Security and Governmental Affairs.

EC–8437. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''Audit of Public Service Commission Agency Fund for Fiscal Year 2004''; to the Committee on Homeland Security and Governmental Affairs.

EC–8438. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''Letter Report: Examination of District of Columbia Sports & Entertainment Commission Contracts and Expenditures for Program Management, Legal, and Financial Management Services''; to the Committee on Homeland Security and Governmental Affairs.

EC–8439. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''Auditor's Review of the Board of Real Property Assessments and Appeals Operations''; to the Committee on Homeland Security and Governmental Affairs.

EC–8440. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''Letter Report: Audit of Advisory Neighborhood Commission 1C for Fiscal Years 2005 Through 2008, as of March 31, 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–8441. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''Letter Report: Audit of Advisory Neighborhood Commission 2E for Fiscal Years 2006 Through 2008, as of March 31, 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–8442. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled ''Report on the Security of Federal Prosecutors''; to the Committee on the Judiciary.

EC–8443. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled ''Report to the Nation 2007''; to the Committee on the Judiciary.

EC–8444. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Adjustment of Civil Monetary Penalties for Inflation'' (RIN3038–AC13) received in the Office of the President of the Senate on October 20, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8445. A communication from the Assistant Director of the Directives and Regulations Branch, Forest Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Special Areas; Roadless Area Conservation; Applicability to the National Forests in Idaho'' (RIN0596–AC62) received in the Office of the President of the Senate on October 20, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8446. A communication from the Regulatory Contact, Grain Inspection, Packers and Stockyards Administration, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Swine Contractors'' (RIN0580–AB01) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8447. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to a review of the Armed Reconnaissance Helicopter program; to the Committee on Armed Services.

EC–8448. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Henry A. Obering III, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–8449. A communication from the Chairman and President, Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Australia; to the Committee on Banking, Housing, and Urban Affairs.

EC–8450. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((73 FR 56731)(Docket No. FEMA–8043)) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8451. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations'' ((73 FR 56737)(Docket No. FEMA–B–1008)) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8452. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a 6-month periodic report on the national emergency that was declared in Executive Order 13067 of November 3, 1997 with respect to Sudan; to the Committee on Banking, Housing, and Urban Affairs.

EC–8453. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency relative to narcotics traffickers centered in Colombia; to the Committee on Banking, Housing, and Urban Affairs.

EC–8454. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures; Inseason Adjustments; Correction'' (RIN0648–AX28) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8455. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Tilefish Fishery'' (RIN0648–XK42) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8456. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Western Regulatory Area of the Gulf of Alaska'' (RIN0648–XL00) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8457. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Closure of the Limited Access General Category Scallop Fishery to Individual Fishing Quota Scallop Vessels'' (RIN0648–XK82) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8458. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Non-American Fisheries Act Crab Vessels Catching Pacific Cod for Processing by the Inshore Component in the Western Regulatory Area of the Gulf of Alaska'' (RIN0648–XK97) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8459. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Western Regulatory Area of the Gulf of Alaska'' (RIN0648–XL00) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8460. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; McDonnell Douglas Model MD–90–30 Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0946)) received in the Office of the President of the Senate on October 27, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8461. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce plc RB211–524 Series Turbofan Engines; Correction'' ((RIN2120–AA64)(Docket No. FAA–2007–0036)) received in the Office of the President of the Senate on October 27, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8462. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 747 Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0091)) received in the Office of the President of the Senate on October 27, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8463. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Harco Labs, Inc. Pitot/AOA Probes (Part Numbers

100435–39, 100435–39–001, 100435–40, and 100435–40–001'' ((RIN2120–AA64)(Docket No. FAA–2008–0955)) received in the Office of the President of the Senate on October 27, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8464. A communication from the Acting Assistant Secretary, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, a report entitled ''U.S. Department of Energy Fleet Alternative Fuel Vehicle Acquisition Report''; to the Committee on Energy and Natural Resources.

EC–8465. A communication from the Acting Assistant Secretary, Office of Fossil Energy, Department of Energy, transmitting, pursuant to law, a report entitled ''Study on Inventory of Petroleum and Natural Gas Storage''; to the Committee on Energy and Natural Resources.

EC–8466. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Electronic Tariff Filings'' ((Docket No. RM01–5–000)(Order No. 714)) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Energy and Natural Resources.

EC–8467. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Ex Parte Contacts and Separation of Functions'' ((Docket No. RM08–8–000)(Order No. 718)) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Energy and Natural Resources.

EC–8468. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Mandatory Reliability Standard for Nuclear Plant Interface Coordination'' ((Docket No. RM08–3–000)(Order No. 716)) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Energy and Natural Resources.

EC–8469. A communication from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program for Commercial and Industrial Equipment: Packaged Terminal Air Conditioner and Packaged Terminal Heat Pump Energy Conservation Standards'' (RIN1904–AB44) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Energy and Natural Resources.

EC–8470. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Virginia; Major New Source Review for Nonattainment Areas'' ((EPA–R03–OAR–2007–0522)(FRL–8731–8)) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Environment and Public Works.

EC–8471. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Virginia; Virginia Major New Source Review, Prevention of Significant Deterioration (PSD)'' ((EPA–R03–OAR–2007–0521)(FRL–8731–9)) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Environment and Public Works.

EC–8472. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Commonwealth of Pennsylvania; Reasonably Available Control Technology Requirements for Volatile Organic Compounds and Nitrogen Oxides'' ((EPA–R03–OAR–2006–0379)(FRL–8732–3)) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Environment and Public Works.

EC–8473. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Completeness Findings for Section 110(a) State Implementation Plans Pertaining to the Fine Particulate Matter (PM2.5) NAAQS'' ((EPA–HQ–OAR–2008–0452)(FRL–8728–3)) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Environment and Public Works.

EC–8474. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Ambient Air Quality Standards for Lead'' ((EPA–HQ–OAR–2006–0735)(FRL–8732–9)) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Environment and Public Works.

EC–8475. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''NESHAP: National Emission Standards for Hazardous Air Pollutants: Standards for Hazardous Waste Combustors: Reconsideration'' ((EPA–HQ–OAR–2004–0022)(FRL–8733–1)) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Environment and Public Works.

EC–8476. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Outer Continental Shelf Air Regulations Consistency Update for California'' ((OAR–2004–0091)(FRL–8731–5)) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Environment and Public Works.

EC–8477. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Texas; Texas Low-Emission Diesel Fuel Program'' ((EPA–R06–OAR–2006–0665)(FRL–8733–8)) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Environment and Public Works.

EC–8478. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Florida; Removal of Gasoline Vapor Recovery from Southeast Florida Areas; Withdrawal of Direct Final Rule'' ((EPA–R04–OAR–2007–0836–200739(w))(FRL–8734–3)) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Environment and Public Works.

EC–8479. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Emergency Planning and Community Right-to-Know Act; Amendments to Emergency Planning and Notification; Emergency Release Notification and Hazardous Chemical Reporting'' (RIN2050–AE17) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Environment and Public Works.

EC–8480. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Fort Peck Assiniboine and Sioux Tribes in Montana; Underground Injection Control (UIC) Program; Primacy Approval and Minor Revisions'' ((EPA–R08–OW–2007–0153)(FRL–8733–4)) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Environment and Public Works.

EC–8481. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''MINNESOTA: Final Authorization of State Hazardous Waste Management Program Revision'' ((40 CFR Part 271)(FRL–8733–7)) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Environment and Public Works.

EC–8482. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, San Diego Air Pollution Control District, San Joaquin Valley Air Pollution Control District, and Ventura County Air Pollution Control District'' ((EPA–R09–OAR–2006–0869)(FRL–8721–7)) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Environment and Public Works.

EC–8483. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Protection of Safeguards Information'' (RIN3150–AH57) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Environment and Public Works.

EC–8484. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Updated static mortality tables for the years 2009 through 2013'' (Notice 2008–85) received in the Office of the President of the Senate on October 27, 2008; to the Committee on Finance.

EC–8485. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Expanded Temporary Rule Allowing Governmental Issuers to Purchase Their Own Tax-Exempt Bonds'' (Notice 2008–88) received in the Office of the President of the Senate on October 27, 2008; to the Committee on Finance.

EC–8486. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule relative to the treatment of taxpayers receiving certain offers relating to auction rate securities (Rev. Proc. 2008–58) received in the Office of the President of the Senate on October 27, 2008; to the Committee on Finance.

EC–8487. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, weekly reports relative to Iraq for the period of August 15, 2008, through October 15, 2008; to the Committee on Foreign Relations.

EC–8488. A communication from the Acting Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2008–164—2008–181); to the Committee on Foreign Relations.

EC–8489. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Final Rules for Group Health Plans and Health Insurance Issuers Under the Newborns' and Mothers' Health Protection Act'' (((RIN0938–AI17)(RIN1210–AA63)(RIN1545–BG82))) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–8490. A communication from the Program Manager, Centers for Disease Control and Prevention, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Possession, Use, and Transfer of Select Agents and Toxins'' (RIN0920–AA09) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–8491. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Chief Financial Officer, received in the Office of the President of the Senate on October 20, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–8492. A communication from the Acting General Counsel, National Indian Gaming Commission, transmitting, pursuant to law, the report of a rule entitled ''Minimum Internal Control Standards for Class II Gaming'' (RIN3141–AA37) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Indian Affairs.

EC–8493. A communication from the Deputy Chief of the Regulatory Management Division, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Period of Admission and Extension of Stay for Canadian and Mexican Citizens Engaged in Professional Business Activities–TN Nonimmigrants'' (RIN1615–AB64) received in the Office of the President of the Senate on October 21, 2008; to the Committee on the Judiciary.

EC–8494. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Almonds Grown in California, Order Amending Marketing Order. No. 981'' (Docket No. AO–214–A7) received in the Office of the President of the Senate on September 8, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8495. A communication from the Chief of Regulatory Analysis and Development, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Special Need Requests Under the Plant Protection Act'' ((RIN0579–AB98)(Docket No. APHIS–2005–0103)) received in the Office of the President of the Senate on October 24, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8496. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Tuberculosis in Cattle and Bison; State and Zone Designations; Minnesota'' (Docket No. APHIS–2008–0117) received in the Office of the President of the Senate on October 16, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8497. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Trichinae Certification Program'' ((RIN0579–AB92)(Docket No. APHIS–2006–0089)) received in the Office of the President of the Senate on October 16, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8498. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Agricultural Bioterrorism Protection Act of 2002; Biennial Review and Republication of the Select Agent and Toxin List'' ((RIN0579–AC53)(Docket No. APHIS–2007–0033)) received in the Office of the President of the Senate on October 16, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8499. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Pyrimethanil; Pesticide Tolerances'' ((EPA–HQ–OPP–2008–0609)(FRL–8384–7)) received in the Office of the President of the Senate on October 27, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8500. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Pesticide Management and Disposal; Standards for Pesticide Containers and Containment'' ((EPA–HQ–OPP–2005–0327)(FRL–8387–2)) received in the Office of the President of the Senate on October 27, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8501. A communication from the Secretary of Agriculture, transmitting, pursuant to law, a report of a violation of the Antideficiency Act by the Department of Agriculture Forest Service; to the Committee on Appropriations.

EC–8502. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled ''Continued Production of the Naval Petroleum Reserves Beyond April 5, 2009''; to the Committee on Armed Services.

EC–8503. A communication from the President of the United States, transmitting, pursuant to law, a notification of the continuation of the national emergency with respect to the situation in or in relation to the Democratic Republic of the Congo; to the Committee on Banking, Housing, and Urban Affairs.

EC–8504. A communication from the Principal Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, a report relative to the National Association of Registered Agents and Brokers Reform Act of 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8505. A communication from the Associate General Counsel for Legislation and Regulations, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Public Housing Operating Fund Program; Increased Terms of Energy Performance Contracts'' (RIN2577–AC66) received in the Office of the President of the Senate on October 24, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8506. 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 ''Mortgagee Review Board (MRB); Amendments to the MRB Regulations'' (RIN2510–AA01) received in the Office of the President of the Senate on October 24, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8507. A communication from the Assistant to the Board, Division of Consumer and Community Affairs, Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled ''Home Mortgage Disclosure'' (Docket No. R–1321) received in the Office of the President of the Senate on October 24, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8508. A communication from the Assistant to the Board, Division of Consumer and Community Affairs, Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled ''Capital Adequacy Guidelines: Treatment of Perpetual Preferred Stock Issued to the United States Treasury under the Emergency Economic Stabilization Act of 2008'' (Docket No. R–1336) received in the Office of the President of the Senate on October 24, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8509. A communication from the General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled ''The Official Advertising Statement'' (RIN3133–AD45) received in the Office of the President of the Senate on October 16, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8510. 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 ''Optional Charter Provisions in Mutual Holding Company Structures'' (RIN1550–AC15) received in the Office of the President of the Senate on October 27, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8511. A communication from the Deputy Assistant Administrator for Operations, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Species: Final Protective Regulations for Threatened Puget Sound Steelhead'' (RIN0648–AV18) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8512. A communication from the Deputy Chief Financial Officer, Office of Managing Director, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Assessment and Collection of Regulatory Fees for Fiscal Year 2008'' ((MD Docket No. 08–65)(FCC 08–182)) received in the Office of the President of the Senate on October 14, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8513. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Taking of the Cook Inlet, Alaska, Beluga Whale Stock by Alaska Natives'' (RIN0648–AO16) received in the Office of the President of the Senate on October 16, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8514. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; West Coast Salmon Fisheries; Amendment 14; Essential Fish Habitat Descriptions for Pacific Salmon'' (RIN0648–AS96) received in the Office of the President of the Senate on October 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8515. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United

States; Atlantic Bluefish Fishery; Quota Transfer'' (RIN0648–XK90) received in the Office of the President of the Senate on October 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8516. A communication from the Deputy Chief Counsel for Regulations, Transportation Security Administration, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Secure Flight Program'' (RIN1625–AA45) received in the Office of the President of the Senate on October 27, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8517. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Certain Medical Standards and Procedures and Duration of Certain Medical Certificates'' (RIN2120–AI91) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8518. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Certain Medical Standards and Procedures and Duration of Certain Medical Certificates; Correcting Amendment'' (RIN2120–AI91) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8519. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Aviation Safety Inspector Airport Access'' (RIN2120–AJ07) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8520. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Enhanced Airworthiness Program for Airplane Systems/Fuel Tank Safety (EAPAS/FTS); Technical Correction'' (RIN2120–AI31) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8521. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Reduction of Fuel Tank Flammability in Transport Category Airplanes'' (RIN2120–AI23) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8522. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–135 Airplanes, and Model EMB–145, –145ER, –145MR, –145LR, –145XR, –145MP, and –145EP Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0642)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8523. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Honeywell International Inc. TFE731–4, –4R, –5, –5AR, –5BR, and –5R Series Turbofan Engines'' ((RIN2120–AA64)(Docket No. FAA–2008–0264)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8524. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; BAE Systems (Operations) Limited (Jetstream) Model 4101 Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0644)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8525. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 747–100, 747–100B, 747–100B SUD, 747–200B, 747–200C, 747–300, 747–400, 747–400D, and 747SR Series Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2007–29227)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8526. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; McDonnell Douglas Model DC–9–10, DC–9–20, DC–9–30, DC–9–40, and DC–9–50 Series Airplanes, Equipped with a Tail Cone Evacuation Slide Container Installed in Accordance With Supplemental Type Certificate (STC) ST735SO'' ((RIN2120–AA64)(Docket No. FAA–2007–28881)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8527. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce plc RB211 Series Turbofan Engines'' ((RIN2120–AA64)(Docket No. FAA–2007–0078)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8528. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 170 and ERJ 190 Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0361)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8529. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Fokker Model F.28 Mark 0070 and Mark 0100 Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0675)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8530. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Fokker Model F.28 Mark 0070 and 0100 Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0676)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8531. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier Model DHC–8–400, DHC–8–401, and DHC–8–402 Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0730)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8532. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Lockheed Model 382, 382B, 382E, 382F, and 382G Series Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0638)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8533. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Turbomeca S.A. Arrius 2B1, 2B1A, 2B2, and 2K1 Turboshaft Engines'' ((RIN2120–AA64)(Docket No. FAA–2008–0461)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8534. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 737–300, –400, and –500 Series Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0947)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8535. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 737–100, –200, –200C, –300, –400, and –500 Series Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0149)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8536. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Hawker Beechcraft Corporation Model 390 Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–1067)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8537. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 767–200, –300, and –400ER Series Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0302)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8538. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 737–600, –700, –700C, –800, and –900 Series Airplanes Equipped with CFM56–7 Engines'' ((RIN2120–AA64)(Docket No. FAA–2008–0147)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8539. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 737–300, –400, and –500 Series Airplanes'' ((RIN2120–AA64)(Docket No. FAA–

2008–0357)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8540. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; MD Helicopters, Inc. Model 600N Helicopters'' ((RIN2120–AA64)(Docket No. FAA–2008–0835)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8541. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Air Tractor, Inc. Models AT–402, AT–402A, and AT–402B Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0749)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8542. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier Model CL–600–1A11 (CL–600), CL–600–2A12 (CL–601), CL–600–2B16 (CL–601–3A, CL–601–3R, & CL–604 (Including CL–605 Marketing Variant)) Airplanes, and Model CL–600–2B19 (Regional Jet Series 100 & 440) Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–1096)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8543. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 747–400, 747–400D, and 747–400F Series Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2008–0640)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8544. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Various Transport Category Airplanes Equipped with Auxiliary Fuel Tanks Installed in Accordance with Certain Supplemental Type Certificates'' ((RIN2120–AA64)(Docket No. FAA–2008–0298)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8545. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class D and E Airspace; Brunswick, ME'' ((RIN2120–AA66)(Docket No. FAA–2008–0203)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8546. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Pampa, TX'' ((RIN2120–AA66)(Docket No. FAA–2008–0610)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8547. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Removal of Class E Airspace; Chicago, IL'' ((RIN2120–AA66)(Docket No. FAA–2008–0666)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8548. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Windsor Locks, Bradley International Airport, CT'' ((RIN2120–AA66)(Docket No. FAA–2008–0817)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8549. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Plains, TX'' ((RIN2120–AA66)(Docket No. FAA–2008–0683)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8550. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class D Airspace; Victoria, TX'' ((RIN2120–AA66)(Docket No. FAA–2008–0434)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8551. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Butler, PA. Removal of Class E Airspace; East Butler, PA'' ((RIN2120–AA66)(Docket No. FAA–2008–0836)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8552. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of and Revocation to Compulsory Reporting Points; Alaska'' ((RIN2120–AA66)(Docket No. FAA–2008–0881)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8553. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class D Airspace; MacDill AFB, FL'' ((RIN2120–AA66)(Docket No. FAA–2008–0983)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8554. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Black River Falls, WI; Confirmation of Effective Date'' ((RIN2120–AA66)(Docket No. FAA–2008–0024)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8555. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Lexington, OK'' ((RIN2120–AA66)(Docket No. FAA–2008–0003)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8556. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Roanoke, VA'' ((RIN2120–AA66)(Docket No. FAA–2008–0417)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8557. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Morehead, KY'' ((RIN2120–AA66)(Docket No. FAA–2008–0809)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8558. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Dallas, GA'' ((RIN2120–AA66)(Docket No. FAA–2008–1084)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8559. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments'' ((RIN2120–AA65)(Docket No. 30628)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8560. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments'' ((RIN2120–AA65)(Docket No. 30631)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8561. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments'' ((RIN2120–AA65)(Docket No. 30629)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8562. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments'' ((RIN2120–AA65)(Docket No. 30632)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8563. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments'' ((RIN2120–AA65)(Docket No. 30621)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8564. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments'' ((RIN2120–AA65)(Docket No. 30620)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8565. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments'' ((RIN2120–AA65)(Docket No. 30624)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8566. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments'' ((RIN2120–AA65)(Docket No. 30627)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8567. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments'' ((RIN2120–AA65)(Docket No. 30630)) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8568. A communication from the Regulations Officer, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Projects of National and Regional Significance Evaluation and Rating'' (RIN2125–AF08) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8569. A communication from the Senior Attorney Advisor, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Implementation of Program for Capital Grants for Rail Line Relocation and Improvement Projects'' (RIN2130–AB74) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8570. A communication from the Staff Assistant, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Federal Motor Vehicle Safety Standards; Designated Seating Positions and Seat Belt Assembly Anchorages'' (RIN2127–AI94) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8571. A communication from the Alternate Liaison of Federal Register Publications, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Pipeline Safety: Standards for Increasing the Maximum Allowable Operating Pressure for Gas Transmission Pipelines'' (RIN2137–AE25) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8572. A communication from the Director, Office of Civilian Radioactive Waste Management, Department of Energy, transmitting, pursuant to law, the Office's 2007 Annual Report to Congress; to the Committee on Energy and Natural Resources.

EC–8573. A communication from the Acting Chief of Regulatory Affairs, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Update of Linear Right-of-Way Rent Schedule'' (RIN1004–AD87) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Energy and Natural Resources.

EC–8574. A communication from the Acting Chief, Branch of Listing, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Revised Designation of Critical Habitat for the Wintering Population of the Piping Plover (Charadrius melodus) in North Carolina'' (RIN1018–AU48) received in the Office of the President of the Senate on October 16, 2008; to the Committee on Environment and Public Works.

EC–8575. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Additional Protocol Regulations'' (RIN0694–AD26) received in the Office of the President of the Senate on October 24, 2008; to the Committee on Environment and Public Works.

EC–8576. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Final Authorizations of State-initiated Changes and Incorporation by Reference of State Hazardous Waste Management Program'' ((EPA–R06–RCRA–2008–0144)(FRL–8727–3)) received in the Office of the President of the Senate on October 27, 2008; to the Committee on Environment and Public Works.

EC–8577. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''New Mexico: Incorporation by Reference of Approved State Hazardous Waste Management Program'' ((EPA–R06–RCRA–2008–0753)(FRL–8729–6)) received in the Office of the President of the Senate on October 27, 2008; to the Committee on Environment and Public Works.

EC–8578. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Virginia; Movement of Richmond and Hampton Roads 8-Hour Ozone Areas from the Nonattainment Area List to the Maintenance Area List'' ((EPA–R03–OAR–2008–0656)(FRL–8735–4)) received in the Office of the President of the Senate on October 27, 2008; to the Committee on Environment and Public Works.

EC–8579. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Illinois'' ((EPA–R05–OAR–2008–0198)(FRL–8722–9)) received in the Office of the President of the Senate on October 27, 2008; to the Committee on Environment and Public Works.

EC–8580. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Revised Motor Vehicle Emission Budgets for the Parkersburg 8-Hour Ozone Maintenance Area'' ((EPA–R03–OAR–2008–0746)(FRL–8735–7)) received in the Office of the President of the Senate on October 27, 2008; to the Committee on Environment and Public Works.

EC–8581. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Carbaryl; Order Denying NRDC's Petition to Revoke Tolerances'' ((EPA–HQ–OPP–2008–0347)(FRL–8388–1)) received in the Office of the President of the Senate on October 27, 2008; to the Committee on Environment and Public Works.

EC–8582. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Application of Section 382 To Loss Corporations Whose Instruments Are Acquired By The Treasury Department Under The Capital Purchase Program Pursuant To The Emergency Economic Stabilization Act Of 2008'' (Notice 2008–100) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Finance.

EC–8583. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Section 1367 Regarding Open Account Debt'' (RIN1545–BD72) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Finance.

EC–8584. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Proposed Amendments to Qualified Intermediary Withholding Agreement and to Audit Guidance for External Auditors of Qualified Intermediaries'' (Announcement 2008–98) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Finance.

EC–8585. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Treatment of Payments in Lieu of Taxes Under Section 141'' (RIN1545–BF87) received in the Office of the President of the Senate on October 24, 2008; to the Committee on Finance.

EC–8586. A communication from the Regulations Officer and Deputy Director of the Office of Regulations, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Technical Amendments to Definition of Persons Closely Approaching Retirement Age'' (RIN0960–AG68) received in the Office of the President of the Senate on October 24, 2008; to the Committee on Finance.

EC–8587. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Technical Corrections Relating to the Rules of Origin for Goods Imported Under the NAFTA and for Textile and Apparel Products'' (CBP Dec. 08–42) received in the Office of the President of the Senate on October 27, 2008; to the Committee on Finance.

EC–8588. A communication from the President of the United States, transmitting, pursuant to section 102(c) and section 204(a) of the United States-India Nuclear Cooperation Approval and Non-proliferation Enhancement Act (Public Law 110–369), the required

certifications and a Memorandum of Justification regarding those certifications; to the Committee on Foreign Relations.

EC–8589. A communication from the Under Secretary of State for Political Affairs, transmitting, pursuant to law, a report relative to current measures that are being or have been undertaken to complete the mission in Iraq successfully; to the Committee on Foreign Relations.

EC–8590. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to loan guarantees to Israel; to the Committee on Foreign Relations.

EC–8591. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report of the Attorney General relative to the administration of the Foreign Agents Registration Act for the six months ending December 31, 2007; to the Committee on Foreign Relations.

EC–8592. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a vacancy, designation of an acting officer, nomination, and action on nomination in the position of Assistant Secretary of State for International Organization Affairs, received in the Office of the President of the Senate on October 24, 2008; to the Committee on Foreign Relations.

EC–8593. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a vacancy, designation of an acting officer, nomination, and action on nomination in the position of Assistant Secretary of State for Legislative Affairs, received in the Office of the President of the Senate on October 24, 2008; to the Committee on Foreign Relations.

EC–8594. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2008–182–2008–191); to the Committee on Foreign Relations.

EC–8595. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the notification of the proposed removal from the U.S. Munitions List of a portable air sampler; to the Committee on Foreign Relations.

EC–8596. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the notification of the proposed removal from the U.S. Munitions List of a blower and heat exchanger; to the Committee on Foreign Relations.

EC–8597. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the notification of the proposed removal from the U.S. Munitions List of visible blackout lights; to the Committee on Foreign Relations.

EC–8598. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a financial report relative to the Animal Drug User Fee Act for fiscal year 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–8599. A communication from the Chairman, Occupational Safety and Health Review Commission, transmitting, pursuant to law, a report of the Commission's updated Strategic Plan for 2009–2014; to the Committee on Health, Education, Labor, and Pensions.

EC–8600. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Final Rules for Group Health Plans and Health Insurance Issuers Under the Newborns' and Mothers' Health Protection Act'' (((RIN1545–BG82)(RIN1210–AA63)(RIN0938–AI17))) received in the Office of the President of the Senate on October 21, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–8601. A communication from the Assistant General Counsel for Regulatory Services, Office of Elementary and Secondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Title I—Improving The Academic Achievement Of The Disadvantaged'' (RIN1810–AB01) received in the Office of the President of the Senate on October 24, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–8602. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Final Rules for Group Health Plans and Health Insurance Issuers Under the Newborns' and Mothers' Health Protection Act'' (RIN1210–AA63) received in the Office of the President of the Senate on October 24, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–8603. A communication from the Chairman and Chief Judge, Employees' Compensation Appeals Board, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Rules of Procedure'' (RIN1290–AA22) received in the Office of the President of the Senate on October 24, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–8604. A communication from the Inspector General, Consumer Product Safety Commission, transmitting, pursuant to law, a report entitled ''Consumer Product Safety Improvement Act Report to Congress''; to the Committee on Homeland Security and Governmental Affairs.

EC–8605. A communication from the Chairman, U.S. Merit Systems Protection Board, transmitting, pursuant to law, a report entitled ''Alternative Discipline: Creative Solutions for Agencies to Effectively Address Misconduct''; to the Committee on Homeland Security and Governmental Affairs.

EC–8606. A communication from the Officer for Civil Rights and Civil Liberties, Department of Homeland Security, transmitting, pursuant to law, a report relative to the implementation of the recommendations of the 9/11 Commission for the period from January 1, 2008, to March 31, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–8607. A communication from the Administrator, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, a report relative to the cost of response and recovery efforts for FEMA–3288–EM in the State of Florida has exceeded the $5,000,000 limit for a single emergency declaration; to the Committee on Homeland Security and Governmental Affairs.

EC–8608. A communication from the Administrator, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, a report relative to the cost of response and recovery efforts for FEMA–3295–EM in the State of Louisiana has exceeded the $5,000,000 limit for a single emergency declaration; to the Committee on Homeland Security and Governmental Affairs.

EC–8609. A communication from the Chairman, Federal Energy Regulatory Commission, transmitting, pursuant to law, a report relative to the Commission's Inventory of Commercial and Inherently Governmental Activities for fiscal year 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–8610. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' (Docket No. FEMA–8045) received in the Office of the President of the Senate on October 24, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–8611. A communication from the Acting General Counsel, National Indian Gaming Commission, transmitting, pursuant to law, the report of a rule entitled ''Technical Standards for Electronic, Computer, or Other Technologic Aids Used in the Play of Class II Games'' (RIN3141–AA29) received in the Office of the President of the Senate on October 24, 2008; to the Committee on Indian Affairs.

EC–8612. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled ''International Terrorism Victim Expense Reimbursement Program Report to Congress 2008''; to the Committee on the Judiciary.

EC–8613. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report on compliance by the United States courts of appeals and district courts with the time limitations established for deciding habeas corpus death penalty petitions under Title 1 of the Antiterrorism and Effective Death Penalty Act of 1996; to the Committee on the Judiciary.

EC–8614. A communication from the Industry Operations Specialist, Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Technical Amendments to Regulations in Title 27, Chapter II (2006R–6P)'' (RIN1140–AA32) received in the Office of the President of the Senate on October 16, 2008; to the Committee on the Judiciary.

EC–8615. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled ''Uncertified Foreign Health-Care Workers'' (RIN1400–AB68) received in the Office of the President of the Senate on October 24, 2008; to the Committee on the Judiciary.

EC–8616. A communication from the Deputy White House Liaison, Department of Justice, transmitting, pursuant to law, the report of a vacancy in the position of United States Attorney for the District of Kansas, received in the Office of the President of the Senate on October 24, 2008; to the Committee on the Judiciary.

EC–8617. A communication from the Deputy White House Liaison, Department of Justice, transmitting, pursuant to law, the report of a vacancy in the position of United States Attorney for the District of the Virgin Islands, received in the Office of the President of the Senate on October 24, 2008; to the Committee on the Judiciary.

EC–8618. A communication from the General Counsel, Office of the Business Development, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled ''Small Disadvantaged Business Program'' (RIN3245–AF79) received in the Office of the President of the Senate on October 24, 2008; to the Committee on Small Business and Entrepreneurship.

EC–8619. A communication from the General Counsel, Office of the Business Development, Small Business Administration, transmitting, pursuant to law, the report of a rule

entitled ''The Women-Owned Small Business Federal Contract Assistance Procedures'' (RIN3245–AF40) received in the Office of the President of the Senate on October 24, 2008; to the Committee on Small Business and Entrepreneurship.

EC–8620. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting the report of (14) officers authorized to wear the insignia of the next higher grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–8621. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Major General Michael A. Hamel, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–8622. A communication from the President of the United States, transmitting, pursuant to law, a notification of the continuation of the national emergency with respect to the situation in or in relation to Sudan; to the Committee on Banking, Housing, and Urban Affairs.

EC–8623. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' ((44 CFR Part 67)(73 FR 60162)) received in the Office of the President of the Senate on October 24, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8624. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations'' ((44 CFR Part 65)(73 FR 60159)) received in the Office of the President of the Senate on October 24, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8625. A communication from the Director, Office of Legal Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Deposit Insurance Regulations; Revocable Trust Accounts'' (RIN3064–AD33) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8626. A communication from the General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled ''Revisions for the Freedom of Information Act and Privacy Act Regulations'' (RIN3133–AD44) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8627. A communication from the Acting Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Mandatory Electronic Submission of Applications for Orders under the Investment Company Act and Filings Made Pursuant to Regulation E'' (RIN3235–AJ81) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8628. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Antlers and Hugo, Oklahoma, and Hico, Texas'' ((MB Docket No. 07–182)(MB Docket No. 07–194)) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8629. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Elko, Nevada'' (MB Docket No. 07–281) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8630. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Waldport, Dallas, and Monmouth, Oregon'' (MB Docket No. 07–124) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8631. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Tecopa, California'' (MB Docket No. 07–226) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8632. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Butte Falls and Netarts, Oregon'' (MB Docket No. 07–210) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8633. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations; Bainbridge, Georgia'' (MB Docket No. 08–139) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8634. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations; Honolulu, Hawaii'' (MB Docket No. 08–155) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8635. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations; Fort Worth, Texas'' (MB Docket No. 08–148) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8636. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations; La Crosse, Wisconsin'' (MB Docket No. 08–156) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8637. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''DTV Consumer Education Initiative'' (MB Docket No. 07–148) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8638. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations; Stuart, Florida'' (MB Docket No. 08–147) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8639. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Rules and Regulations Implementing the Telephone and Consumer Protection Act of 1991; Junk Fax Prevention Act of 2005'' ((CG Docket No. 02–278)(CG Docket No. 05–338)) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8640. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska; Closure'' (RIN0648–XL08) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8641. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska; Modification of a Closure'' (RIN0648–XL08) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8642. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Hook-and-Line Gear in the Gulf of Alaska'' (RIN0648–XL33) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8643. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Virginia; Emission Reductions from Large Stationary Internal Combustion Engines and Large Cement Kilns'' ((EPA–R03–OAR–2007–0382)(FRL–8735–6)) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Environment and Public Works.

EC–8644. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Navajo Nation; Underground Injection Control (UIC) Program; Primacy Approval'' ((EPA–R09–OW–2007–0248)(FRL–8734–5)) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Environment and Public Works.

EC–8645. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Outer Continental Shelf Air Regulations Update to Include New Jersey State Requirements'' ((EPA–R02–OAR–2008–0308)(FRL–8731–2)) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Environment and Public Works.

EC–8646. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Stay of the Effectiveness of Requirements for Air Emission Testing Bodies'' ((EPA–HQ–OAR–2008–0800)(FRL–8737–5)) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Environment and Public Works.

EC–8647. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''2009 Limitations Adjusted As Provided in Section 415(d), etc.'' (Notice 2008–102) received in the Office of the President of the Senate on October 28, 2008; to the Committee on Finance.

EC–8648. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''2008 Marginal Production Rates'' (Notice 2008–89) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Finance.

EC–8649. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Programs; Payment Policies Under the Physician Fee Schedule and Other Revisions to Part B for CY 2009; E–Prescribing Exemption for Computer-Generated Facsimile Transmissions; and Payment for Certain Durable Medical Equipment, Prosthetics, Orthotics, and Supplies (DMEPOS)'' ((RIN0938–AP18)(RIN0938–AN14)) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Finance.

EC–8650. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program: Changes to the Hospital Outpatient Prospective Payment System and CY 2009 Payment Rates; Changes to the Ambulatory Surgical Center Payment System and CY 2009 Payment Rates; Hospital Conditions of Participation: Requirements for Approval and Re-Approval of Transplant Centers to Perform Organ Transplants—Clarification of Provider and Supplier Termination Policy Medicare and Medicaid Programs: Changes to Ambulatory Surgical Center'' (((RIN0938–AP17)(RIN0938–AL80)(RIN0938–AH17))) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Finance.

EC–8651. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy and designation of an acting officer in the position of Commissioner, National Center for Education Statistics, received in the Office of the President of the Senate on October 31, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–8652. A communication from the Secretary and Director, Office of Secretary and Administration, Postal Regulatory Commission, the report of a nomination for the position of Commissioner, received in the Office of the President of the Senate on October 31, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–8653. A communication from the Staff Director, U.S. Commission on Civil Rights, transmitting, pursuant to law, a report to relative to the North Carolina Advisory Committee; to the Committee on the Judiciary.

EC–8654. A communication from the Rules Administrator, Office of General Counsel, Federal Bureau of Prisons, transmitting, pursuant to law, the report of a rule entitled ''Pre-Release Community Confinement'' (RIN1120–AB51) received in the Office of the President of the Senate on October 31, 2008; to the Committee on the Judiciary.

EC–8655. A communication from the Deputy White House Liaison, Department of Justice, transmitting, pursuant to law, the report of a vacancy and designation of an acting officer in the position of Director, Bureau of Justice Statistics, received in the Office of the President of the Senate on October 31, 2008; to the Committee on the Judiciary.

EC–8656. A communication from the Deputy White House Liaison, Department of Justice, transmitting, pursuant to law, the report of action on nomination in the position of Assistant Attorney General, Office of Justice Programs, received in the Office of the President of the Senate on October 31, 2008; to the Committee on the Judiciary.

EC–8657. A communication from the Deputy White House Liaison, Department of Justice, transmitting, pursuant to law, the report of action on nomination in the position of Solicitor General, received in the Office of the President of the Senate on October 31, 2008; to the Committee on the Judiciary.

EC–8658. A communication from the Deputy White House Liaison, Department of Justice, transmitting, pursuant to law, the report of a vacancy in the position of United States Attorney for the Eastern District of Virginia, received in the Office of the President of the Senate on October 31, 2008; to the Committee on the Judiciary.

EC–8659. A communication from the Director of Regulations Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Posttraumatic Stress Disorder'' (RIN2900–AN04) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Veterans' Affairs.

EC–8660. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Viral Hemorrhagic Septicemia; Interstate Movement and Import Restrictions on Certain Live Fish'' (Docket No. APHIS–2007–0038) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8661. A communication from the Administrator, Rural Housing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Direct Multi-Family Housing Loans and Grants'' (7 CFR Part 3560) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8662. A communication from the Assistant Director of the Directives and Regulations Branch, Forest Service, Department of Agriculture transmitting, pursuant to law, the report of a rule entitled ''Sale and Disposal of National Forest Service System Timber; Timber Sale Contracts; Market-Related Contract Term Additions'' (RIN0596–AC79) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8663. A communication from the Chairman, Defense Nuclear Facilities Safety Board, transmitting, pursuant to law, a report entitled ''Sixth Quarterly Report to Congress on the Status of Significant Unresolved Issues with the Department of Energy's Design and Construction Projects''; to the Committee on Armed Services.

EC–8664. A communication from the Deputy Under Secretary of Defense (Acquisition and Technology), transmitting, pursuant to law, a report relative to a prototype inventory list of activities performed pursuant to contracts for services; to the Committee on Armed Services.

EC–8665. A communication from the Assistant Secretary of the Navy (Installations and Environment), transmitting, pursuant to law, a report relative to the notification of the decision to cancel the Office of Management and Budget Circular A–76 public-private competition for the Commander, Navy Installations Command Emergency Management Dispatch Support Services; to the Committee on Armed Services.

EC–8666. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Sea Turtle Conservation; Shrimp Trawling Requirements'' (RIN0648–XK78) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8667. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan'' (RIN0648–XL09) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8668. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Sea Turtle Conservation; Shrimp Trawling Requirements'' (RIN0648–XL11) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8669. A communication from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Revisions to Subpart A—General; Subpart I—Platforms and Structures; and Subpart J—Pipelines and Pipeline Rights-of-Way'' (RIN1010–AD18) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Energy and Natural Resources.

EC–8670. A communication from the Office of Enforcement, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Revisions to Forms, Statements and Reporting Requirements for Electric Utilities and Licenses'' ((Docket No. RM08–5–000)(Order No. 715)) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Energy and Natural Resources.

EC–8671. A communication from the Deputy General Counsel, Office of General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Wholesale Competition in Regions with Organized Electric Markets'' ((Docket No. RM07–19–000)(Docket No. AD07–7–000)) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Energy and Natural Resources.

EC–8672. A communication from the Administrator of the Office of Workforce Securities, Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Federal-State Unemployment Compensation (UC) Program; Interstate Arrangement for Combining Employment and Wages; Final Rule'' (RIN1205–AB51) received in the

Office of the President of the Senate on October 31, 2008; to the Committee on Finance.

EC–8673. A communication from the Program Manager of the Office of Strategic Operations and Regulatory Affairs, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Home Health Prospective Payment System Rate Update for Calendar Year 2009'' (RIN0938–AP20) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Finance.

EC–8674. A communication from the Deputy Director for Operations, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits'' (29 CFR Parts 4022 and 4044) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–8675. A communication from the Administrator of the Office of Apprenticeship, Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Apprenticeship Programs, Labor Standards for Registration, Amendment of Regulations'' (RIN1205–AB50) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–8676. A communication from Director of the Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Amendments to the Current Good Manufacturing Practice Regulations for Finished Pharmaceuticals'' (Docket No. FDA–2007–N–0379) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–8677. A communication from Director of the Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Amendments to the Current Good Manufacturing Practice Regulations for Finished Pharmaceuticals; Final Rule; Correction'' (Docket No. FDA–2007–N–0379) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–8678. A communication from Director of the Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Distribution of Certain Drug Products by Registered Blood Establishments and Comprehensive Hemophilia Diagnostic Treatment Centers That Qualify as Health Care Entities; Prescription Drug Marketing Act of 1987; Prescription Drug Amendments of 1992; Policies, Requirements and Administrative Procedures'' (Docket No. FDA–2005–N–0345) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–8679. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled ''Statistical Programs of the United States Government: Fiscal Year 2009''; to the Committee on Homeland Security and Governmental Affairs.

EC–8680. A communication from the Acting Director, Strategic Human Resources Policy Division, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Veterans' Preference'' (RIN3206–AL33) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–8681. A communication from the Acting Director, Strategic Human Resources Policy Division, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Nonforeign Area Cost-of-Living Allowance Rates; Alaska'' (RIN3206–AL37) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–8682. A communication from the Acting Director, Strategic Human Resources Policy Division, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Reemployment Rights'' (RIN3206–AI19) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–8683. A communication from the Acting Director, Center for Pay and Leave Administration, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Repayment of Student Loans'' (RIN3206–AK51) received in the Office of the President of the Senate on October 31, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–8684. A communication from the Deputy White House Liaison, Department of Justice, transmitting, pursuant to law, the report of action on a nomination for the position of Assistant Attorney General, National Security Division, received in the Office of the President of the Senate on October 31, 2008; to the Committee on the Judiciary.

EC–8685. A communication from the Secretary of the Senate, transmitting, pursuant to law, the report of the receipts and expenditures of the Senate for the period from April 1, 2008 through September 30, 2008; ordered to lie on the table.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs:

Report to accompany S. 1924, a bill to amend chapter 81 of title 5, United States Code, to create a presumption that a disability or death of a Federal employee in fire protection activities caused by any of certain diseases is the result of the performance of such employee's duty (Rept. No. 110–520).

By Mr. LEAHY, from the Committee on the Judiciary:

Report to accompany S. 980, a bill to amend the Controlled Substances Act to address online pharmacies (Rept. No. 110–521).

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. INHOFE:

S. 3683. A bill to amend the Emergency Economic Stabilization Act to require approval by the Congress for certain expenditures for the Troubled Asset Relief Program; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. MIKULSKI (for herself, Mr. BOND, Mr. LEVIN, and Ms. STABENOW):

S. 3684. A bill to amend the Internal Revenue Code of 1986 to allow an above-the-line deduction against individual income tax for interest in indebtedness and for State sales and excise taxes with respect to the purchase of certain motor vehicles; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 3685. A bill to prohibit the selling and counterfeiting of tickets for a Presidential inaugural ceremony; to the Committee on Rules and Administration.

By Mr. SPECTER:

S. 3686. A bill to establish an Office of Foreclosure Evaluation to coordinate the responsibilities of the Department of the Treasury, the Department of Housing and Urban Development, the Federal Housing Administration, the Federal Housing Finance Agency, the Neighborhood Reinvestment Corporation, the Federal Deposit Insurance Corporation, the Board of Governors of the Federal Reserve System, and other Federal Government entities regarding foreclosure prevention, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. VITTER:

S. 3687. A bill to prohibit the admission of an alien who was detained as an enemy combatant at Guantanamo Bay, Cuba unless the President determines that such admission is consistent with the national security of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. REID:

S. 3688. A bill to provide for additional emergency unemployment compensation, to amend the Emergency Economic Stabilization Act of 2008 to authorize loans to automobile manufacturers and component suppliers, and for other purposes; read the first time.

By Mr. REID (for himself and Mr. BYRD):

S. 3689. A bill making supplemental appropriations for job creation and preservation, infrastructure investment, and economic and energy assistance for the fiscal year ending September 30, 2009, and for other purposes; read the first time.

By Mr. DURBIN:

S. 3690. A bill to help struggling families stay in their homes and to ensure that taxpayers are protected when the Secretary of the Treasury purchases equity shares in financial situations; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 706. A resolution to authorize testimony and legal representation in Peter Bergel v. Pacific Gas & Electric; considered and agreed to.

ADDITIONAL COSPONSORS

S. 407

At the request of Mr. VITTER, his name was withdrawn as a cosponsor of S. 407, a bill to amend the Intermodal Surface Transportation Efficiency Act of 1991 to designate a portion of Interstate Route 14 as a high priority corridor, and for other purposes.

S. 826

At the request of Mr. MENENDEZ, the names of the Senator from South Dakota (Mr. JOHNSON), the Senator from Virginia (Mr. WEBB), the Senator from Florida (Mr. MARTINEZ) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 826, a bill to posthumously award a Congressional Gold Medal to Alice Paul, in recognition of her role in the women's suffrage movement and in advancing equal rights for women.

S. 988

At the request of Ms. MIKULSKI, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 988, a bill to extend the termination date for the exemption of returning workers from the numerical limitations for temporary workers.

S. 1070

At the request of Mr. HATCH, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 1070, a bill to amend the Social Security Act to enhance the social security of the Nation by ensuring adequate public-private infrastructure and to resolve to prevent, detect, treat, intervene in, and prosecute elder abuse, neglect, and exploitation, and for other purposes.

S. 1211

At the request of Mrs. FEINSTEIN, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1211, a bill to amend the Controlled Substances Act to provide enhanced penalties for marketing controlled substances to minors.

S. 2092

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 2092, a bill to amend title 11, United States Code, to improve protections for employees and retirees in business bankruptcies.

S. 2585

At the request of Mr. HARKIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2585, a bill to provide for the enhancement of the suicide prevention programs of the Department of Defense, and for other purposes.

S. 2639

At the request of Mr. JOHNSON, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 2639, a bill to amend title 38, United States Code, to provide for an assured adequate level of funding for veterans health care.

S. 2883

At the request of Mr. ROCKEFELLER, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 2883, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Mother's Day.

S. 3073

At the request of Mr. CORNYN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 3073, a bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to improve procedures for the collection and delivery of absentee ballots of absent overseas uniformed services voters, and for other purposes.

S. 3229

At the request of Ms. CANTWELL, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3229, a bill to increase the safety of the crew and passengers in air ambulances.

S. 3305

At the request of Mr. CHAMBLISS, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 3305, a bill to authorize the Secretary of the Army to establish, modify, charge, and collect recreation fees with respect to land and water administered by the Corps of Engineers.

S. 3331

At the request of Mr. CRAPO, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 3331, a bill to amend the Internal Revenue Code of 1986 to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly.

S. 3403

At the request of Ms. CANTWELL, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 3403, a bill to amend title 49, United States Code, to require determination of the maximum feasible fuel economy level achievable for cars and light trucks for a year based on a projected fuel gasoline price that is not less than the applicable high gasoline price projection issued by the Energy Information Administration.

S. 3596

At the request of Mr. KERRY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 3596, a bill to stabilize the small business lending market, and for other purposes.

S. 3652

At the request of Ms. CANTWELL, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 3652, a bill to provide for financial market investigation, oversight, and reform.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. MIKULSKI (for herself, Mr. BOND, Mr. LEVIN, and Ms. STABENOW):

S. 3684. A bill to amend the Internal Revenue Code of 1986 to allow an above-the-line deduction against individual income tax for interest in indebtedness and for State sales and excise taxes with respect to the purchase of certain motor vehicles; to the Committee on Finance.

Ms. MIKULSKI. Mr. President, our economy is in shambles. People are losing their jobs, they are losing their life savings, and they are losing their homes. Congress must act and we must act now.

I agree with the Senator from Pennsylvania, Mr. SPECTER, that this session of the Congress and this session of the Senate should not be called a lame-duck. We should neither be lame nor should we duck the big issue facing our country. We have helped out. If you look at what we have done already—well, we have already done a bailout. We helped the sharks and we helped the whales. Now it is time to help the minnows, the little guy and gal, the American consumer.

I have that solution. Today, I introduce legislation, cosponsored by my colleague from Missouri, to save jobs in the American automobile industry, to help consumers, and get our economy back on track. It is simple, it is straightforward, and it is bipartisan. It is also timely and temporary.

My bill would save jobs. What is it that I want to do? I want to stimulate demand in the automobile industry so people actually come into showrooms and buy cars, minivans, or light trucks. Why is this a good idea? Actually, if you buy a car, someone has to make it, someone has to sell it, someone has to service it, and someone has to provide administrative services. This is good for manufacturers, the dealers, and the suppliers. It could save considerable jobs in the auto industry.

My bill is not about bailouts. It is about jobs, jobs, jobs. Six million jobs are at stake in the American car industry. One out of ten jobs in America relies on the auto industry. Right now, the facts are gloomy. Sales are down. The auto industry has already cut over 100,000 jobs. The 30,000 American dealerships in this country are at risk of losing 37,000 jobs. We cannot let this happen. We cannot let the American automobile industry implode.

I believe we can help by getting the consumers into the showroom, have them feel that Government is on their side in helping them with one of the biggest purchases during this tough time.

What does this amendment do? My bill is simple. If you buy a passenger car, minivan, or light truck between November 12 of this year and December 31 of 2009, you will get a tax deduction for your sales or excise tax and the interest on your loan. Families can save anywhere from $2,000 to $5,000 by the Mikulski-Bond bill.

This is a big deal because, next to the purchase of your home, the purchase of your automobile is your next big ticket.

It is targeted. I cap it at families with an income of over $250,000 a year. It focuses on the middle-income and the middle-class family cars. It is also timely because we need to know that the biggest 6-week period for automobile sales is between Thanksgiving and New Year's Eve. They sell other cars during 6-week periods, but between Thanksgiving and New Year's

Eve is the biggest 6-week sale. This bill also helps the environment because it gets more people in more fuel-efficient cars.

This bill is not limited to only American cars. It focuses on any car, recognizing that many automobiles are now made in southern States, as Texas does Toyotas; Kentucky does Toyotas; Tennessee does Nissans. Any way we look at it, even though it might have a foreign logo, it is American jobs doing the manufacturing.

What would this mean? I have here a chart—it is bigger than me—for a Dodge minivan. The average minivans cost about $25,500.

On a 4-year loan at an 8 percent excise tax, it would result in a savings of anywhere, depending on the State, from $1,500 to $2,000.

I have already heard from people all over this country how that, plus the deals being offered by manufacturers and dealers, could result in being able to buy a minivan for under $20,000 a year.

This would be fantastic. I could put up chart after chart for the Malibu, for the Ford pickup 150, for the Toyota Camry. This would stimulate demand. Just think what it means. People could come into a showroom of their choice, and if we passed this bill—it would be retroactive to the day I announced they could actually buy something that would put them on the road with a car that is more fuel efficient with lower carbon emissions.

At the same time, jobs, jobs, jobs. As I said, there are 30,000 new car dealerships nationwide. They employ close to 1 million people. In my own home State there are 300 dealerships. People do not realize that dealers in many rural parts of my State usually employ over 50 people in sales, the auto mechanics, as well as the administrative positions. This legislation would help them because they would actually be working. It would help the people who are actually making those.

Senator SPECTER said he has been traveling the State. I have been traveling mine too. I went to the General Motors plant in Maryland at White Marsh where they make the new power transmission. Right now they can make a Tahoe hybrid, a Tahoe, a big muscle car, that with the hybrid technology they have now, can get the same mileage as a Toyota Camry.

If you also talk to the people who worked there, they could employ 1,000; they now employ 250 people. If you were with me in the car dealership and would talk to people such as the mechanic—I talked to a mechanic who works for a Chevy dealer in Bethesda. He has worked there for 23 years.

He said to me: Senator BARB, all my life I have loved to work on cars. I just love it. I love to fix them; I love to repair them. If they are new, I want to make sure they are fit for duty. I have earned a good living. I have been happy. I think I have helped make a lot of other people happy. But the only way I can stay happy is if I continue to work. I have a mortgage. I have two kids in college. Maybe they are going to go into engineering, I do not know, but I know if we do not get more people into this dealership my job could be gone.

Talk to the dealer. The dealer's name is Sam. The first thing you know about him is he wears the little Rotary pin on his lapel because he is the guy who not only provides jobs, tries to provide good deals to customers, but also is the one who is part of the Chamber of Commerce, part of the United Way.

We are talking about people who are part of the fabric of our society. We are not talking about an abstraction. We are not talking about a single ZIP code like Wall Street. We are talking about the automobile industry in every State and every community. So when we help them, we are helping ourselves.

People say: what is the cost of this, Senator BARB? Well, I will tell you. It is about $8 billion. They go: Oh, well, we just spent $350 billion and threw it down the rat hole. We do not have anything to show for this $350 billion but more arrogance and more greed. While they want Americans to dine on Lean Cuisine, they are dining on spa cuisine.

So I think it is time we help people in our own community, help the consumers who want to participate in the economy. Clunkers get traded in, and we also help them. Maybe you know somebody who works for a hedge fund, I do not. But I do know the people who work for the automobile industry—whether it is the dealers or the receptionist who came to work 43 years ago right out of high school who said: Senator BARB, we could not sell cars in those days, but I have been here in and out of this same dealer for 43 years, raised my kids, earned a good living, did the back office work. I want to keep on doing it. I am not ready for Social Security, and, for God's sake, do not put it in Wall Street.

Well, I say do not put Social Security on Wall Street and do not put another nickel on Wall Street. If we are going to help with our economy, let's do it where it creates jobs.

I wanted to explain the bill I have introduced today that I am going to bring up as part of our economic recovery plan on Wednesday. But most of all, what I wanted to say is, the Congress should not go home until we see how we are going to help this economy get rolling.

I think my bill which has been cosponsored by Senator BOND puts wheels on the American economy, and I hope I have victory on it later this week.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. BOND. Mr. President, it is a real pleasure to join and partner with my good friend, Senator MIKULSKI, on this initiative to save American jobs, help American families, support the auto industry, as she has just said, and put America back on wheels.

During those tough economic times, we believe this proposal will help American families afford the cars, small trucks, and SUVs they need to get to work, to take their kids to school, and encourage investment needed to boost auto sales which will help save American jobs, help middle-class families, and support the auto industry.

Selling cars, again, is one of the most important things we can do for the entire auto industry, by encouraging now tentative buyers who are worried about making the payments to go ahead and purchase. This is the best way to get our auto industry back to work and provide the jobs people need.

In my home State of Missouri and throughout the Nation car sales have declined sharply in recent months, and there will likely be a further decline as the economy struggles. Cars and trucks are one of the largest purchases for households. Most rely on some kind of financing to acquire the vehicles.

By making interest payments and sales and excise taxes deductible, this program will help middle-class families afford the cars, SUVs, and light trucks they need to get to work and take their kids to school. This should mean real savings to middle-class families who are struggling to pay a mortgage or rent, buy groceries, and afford health care.

This proposal also helps the struggling auto industry and millions of jobs that are dependent on them: auto suppliers, steel and glass manufacturers, and the car dealers.

There are closing car dealerships in Missouri. They are shutting their doors, laying off workers, cutting jobs. Others are facing real squeezes. They, too, may be facing this same crisis if they do not get people purchasing cars.

With our economy shedding hundreds of thousands of jobs over the past several months, it is critical that we act now to prevent further losses to an industry that touches the entire Nation.

Now, in addition to this tax proposal, I think we must take action to provide bridge loan financing to Detroit's big three auto companies. The idea of getting Government involved in the free market is troublesome and potentially dangerous to the health of our system, but I strongly believe we have to act in unique times of crisis when millions of workers are in danger of losing their jobs. We are clearly in this unique crisis. We are experiencing a crisis unparalleled since the Great Depression.

It is for that reason that I will not turn my back on hundreds of thousands of Missouri jobs. Now is the time to act. Unlike many other industries, the auto industry touches, as I said, millions of manufacturing and servicing jobs across the Nation.

Over 100,000 auto workers are in assembly plants, more than 1 million workers are at auto dealerships in every State, over 300,000 workers are in the wholesale end of the auto industry,

over 800,000 workers work in auto repair, and over 500,000 workers are in auto parts plants.

These autoworkers are not just in big cities such as Detroit. Autoworkers are found supporting families in small- and medium-sized communities across rural America.

In my home State of Missouri, small towns such as Maryville in northwest Missouri have 10,000 people, and 1,800 families depend upon the 200 workers at the Federal-Mogul plant. They are making steering systems. Closing that plant will be a tough blow to the Maryville community dependent upon it.

We have 500 jobs at the Dura plant in Moberly, 400 at the Gates plant in Versailles, 170 at the Modine plant in Joplin. On and on it goes, like a long list of just about every Missouri small- and medium-sized town. We cannot afford to pull the plug on the manufacturing backbone of rural America.

These auto-dependent jobs, whether they are union or not—and many are not—provide very good wages. They are manufacturing jobs that support middle-class families. They provide health care benefits for families, retirement for the elderly, and a couple weeks of paid vacation. Without these blue-collar jobs, many of these middle-class families would slip back into lower incomes with no health care, little hope for college, and an uncertain future. We have to fight for working people and their jobs and not allow their employers to go under.

Despite the real need for temporary emergency assistance to save jobs in Missouri and across the country, I do not support a blank check from the Government. I want to make sure we are not simply throwing good money after bad. It is critical that any rescue include three basic principles: First, the bill must have strong taxpayer protection. This means any bill must ensure that taxpayers are repaid for their emergency assistance and that taxpayers share in the turnaround profits of participating automakers.

Second, the bill must include executive accountability so that failed executives are not rewarded for poor management. I do not know about you, but I am offended when I read in the paper that companies getting Federal bailout money are using it to pay bonuses. Some of them said they have already set the bonuses aside. Well, if they set the bonuses aside, they set them aside as their company was going down. Getting money from the Federal Government should not enable them to make those bonus payments.

I have seen one major Wall Street firm saying it is going to stop bonuses until this crisis is over. I think that is something we should commend. I think that is a practice that ought to be followed.

Third, and most important—and this is key—the bill must include significant financial reform so that recipients of taxpayer funds demonstrate that they have a plan to ensure long-term competitiveness, health, and profitability by bringing their costs under control.

Funds should be conditioned on a strong restructuring plan for the industry and for each recipient to have funds so that this aid is a bridge to somewhere, not a bridge to nowhere. That is why I need to emphasize the need for a real financial strategy that will put the Detroit big three on the road to competitiveness, health, and profitability.

I believe we ought to set up a system where a responsible Government agency, a Secretary-level official, has to approve the continuing plans, the goals, the definable standards that must be met, and that official ought to hold them accountable for accomplishing the purposes, cutting the costs, and making the tough business decisions that are necessary to assure profitability.

Well, these are things I believe most of my colleagues want to see. I do not believe anybody wants to see the auto industry go down. But there is real concern that if we put in some money now, we may be back seeing them in the same condition several months down the road.

Well, the time has come for the auto industry to lay out for Government officials in their ability to approve the release of these funds if they have a plan. And as they go forward, they ought to be required to show the approving official that they are taking those steps that are necessary to make their plants and their companies profitable.

Some ask: Why don't we just allow the automakers to fall into bankruptcy like some in the airline industry? We all know bankruptcy has successfully allowed many airlines to get back in the air. I am afraid it would be a disaster for the thousands of parts and service businesses dependent on major automakers. How would they get credit to run their operations to supply a company in bankruptcy? How would the bankrupt company in the current crisis get the credit it needs to emerge from bankruptcy? Who is going to buy a car from a bankrupt company? What protections would they have for their warranties and other requirements they have for servicing?

Others say a financial rescue has no place in the free market. I agree that generally that is a good question. But even free markets need oversight and a safety net. That is why we have the Federal Reserve, the Securities and Exchange Commission, and the Federal Deposit Insurance Corporation. Each of these agencies is designed to take emergency actions in times of emergency. Clearly, that is what we have. That is why we should respond now.

There have been a lot of discussions on the source of funding for the auto industry, whether it should come out of the Treasury's Troubled Asset Relief Program, or TARP, or the Department of Energy's Section 136 program. I am pleased to see that there seems to be broad support for assisting the auto industry despite the differences in funding. I support either or both of these measures of support, provided we meet the conditions I laid out which include significantly laying out a plan to profitability, cost cutting that will be approved and then will be monitored by the appropriate Government official who has the power to continue to release the funds.

I will discuss in other remarks how the TARP has changed in purpose from what we were told it would be. It has continued to change. I am afraid it has caused a great deal of uncertainty, which, obviously, markets do not like. But before closing, I wish to suggest an area where there is great need and where I believe the funds under the Troubled Asset Relief Program can and should be used to give the economy a major boost, creating the jobs we badly need, and that is in State and local government infrastructure.

Despite the Government's efforts to thaw the credit crunch, State and local governments continue to face hardships in municipal bond financing. People were telling me, once we got the money into the banks, credit would loosen up and municipal bonds could be sold. So far, we are not seeing that. State and local bond and debt financing is still a problem. In Missouri and throughout the Nation, many infrastructure projects are being delayed or scaled back due to credit problems, the inability to get credit, and they have not faced it in many years.

Even State and local governments with high credit ratings are struggling to obtain affordable financing. In Missouri, for example, we have some $800 million approved in debt to rebuild our bridges. The city of Kansas City, MO, has $200 million it is ready to spend on its water and sewer infrastructure. The St. Louis Airport is badly in need of funding for $100 million in upgrades to facilitate commerce and continue to provide jobs. I believe the funds should be used to purchase those portions of those debts that can be used to put people to work in 2009. Not all of the $800 million on fixing bridges is going to be spent in 1 year, but there should be a reasonable judgment as to how much work can be started when construction season begins in the spring.

We ought to be willing to have the Federal Government provide the funding and get the debt issuance in return, which, if they fund it at the current going rate for debt with the Federal Government, should be a no-cost ultimate cost to the taxpayer or an addition to the debt. But what these infrastructure jobs will do right now is provide work so that working men and women will be able to do things such as buy cars, provide for their families, spend the money to get the economy growing again.

I urge Treasury to consider assisting the municipal bond market through the TARP program. It will not only

boost infrastructure investments, build the critical infrastructure we need to make our economy go forward, but it will create jobs. As has been said many times before by people a lot smarter than I, a good job is the best social policy we have. A good job is the basis of the economy.

What we are advocating today in the bill I cosponsored with Senator MIKULSKI is a way to get cars sold so they will create jobs all up and down the chain in the auto industry and provide a bridge to somewhere for the future of the auto industry so they will get their costs under control, keep them out of bankruptcy, and make the changes that are needed to be competitive in the national and the world market.

I urge my colleagues to join with us in the legislation by Senator MIKULSKI and also in pushing to use the TARP funds for investment in municipal bonds that will put people to work on infrastructure.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 3685. A bill to prohibit the selling and counterfeiting of tickets for a Presidential inaugural ceremony; to the Committee on Rules and Administration.

Mrs. FEINSTEIN. Mr. President, I come to the floor as chairman of the Rules Committee and as chairman of the Joint House-Senate Inaugural Committee. I come to introduce legislation to prohibit the selling and counterfeiting of tickets to the President's inauguration ceremony.

The inauguration of the President of the United States is one of the most important rituals of our democracy, and the chance to witness this solemn event should not be bought and sold similar to tickets to a football game. This is not a football game. This is a dignified and critical moment of transition in Government, a moment of which Americans have always been proud because it is, in fact, the strength of our democracy—the fact that all across this great land people go to the polls and elect the next President of the United States, they don't take to the streets, they don't take to weapons. They elect the next President of the United States.

We have all read the news reports: Tickets bid on the Internet for $5,000 apiece, some going as high as $40,000 each. Internet sites today are selling tickets they do not have and will not have unless somehow, some way they obtain them. I find it unconscionable.

These tickets are supposed to be free for people, for the volunteers who gave up their weekends, walking miles door to door to encourage voters to turn out at the polls on election day, for Members of the African-American community to see one of their own take the oath of office, the highest office in the land, for schoolchildren to witness history, and for the American public to watch this affirmation of our Constitution, this peaceful transition from one administration to another.

This is going to be a major civic event of our time. Excitement is at an all time high, and every one of us has received more phone calls for tickets than we could possibly ever meet. People are desperate to become part of it, to touch it, to be around, to feel it, to listen to it, and they are coming from all over the country. We could have more than 1.5 million people descend on the Nation's Capital for this inauguration.

Congress has the responsibility of overseeing this historic event. So we must ensure that the inauguration has all the respect and dignity it deserves.

These tickets are supposed to be free for the people. No one should have to pay for them. Once more, these tickets are not yet even available. They will not be distributed to congressional offices until the end of the week before the inauguration. And then the offices will require in-person pickup, with secure identification. But they will be free and they should stay that way.

I can tell you what I am going to do. We will ask people to pick up their tickets the day before the inauguration in my office. Everyone will submit their name, their address, and their driver's license. They must be who they are if there are tickets waiting for them. I believe this kind of procedure essentially deters unscrupulous people from selling these tickets on the Internet. No Web sites or other ticket outlets have inaugural swearing-in tickets to sell, despite what some of them claim.

This legislation is aimed at stopping those who seek to profit by selling these tickets. It would also target those who seek to dupe the public with fraudulent tickets or those who merely promise but can't deliver on tickets that they do not actually have.

I want to say one thing. We are working now to see if there is any creative way we might be able to secure more tickets for the House and the Senate. We have followed protocol with exactly the same distribution system that existed in prior inaugurals, but it is clear that there are not as many tickets as there are requests.

Those who violate the law under this legislation, if in fact it passes, would face a class A misdemeanor with a substantial fine, imprisonment up to 1 year, or both. I am also very pleased to tell you, Mr. President, that eBay and StubHub announced last week that they will not allow the sale of inaugural swearing-in tickets on any of their Web sites. I want to take this opportunity to thank them and to commend them for leading the way.

It is my hope that Congress will pass this legislation this week. I hope my colleagues will join me in supporting it on a hotline. I think it is very important to establish once and for all that tickets to the inauguration of the next President of the United States are not issues of commerce, they are free tickets to be given to the people.

So I hope that this week this legislation can pass unanimously by this body. I send it to the desk and thank the Chair.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

By Mr. SPECTER:

S. 3686. A bill to establish an Office of Foreclosure Evaluation to coordinate the responsibilities of the Department of the Treasury, the Department of Housing and Urban Development, the Federal Housing Administration, the Federal Housing Finance Agency, the Neighborhood Reinvestment Corporation, the Federal Deposit Insurance Corporation, the Board of Governors of the Federal Reserve System, and other Federal Government entities regarding foreclosure prevention, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. SPECTER. I am now introducing legislation captioned ''The Foreclosure Diversion and Mortgage Loan Modification Act of 2008.'' It would create an Office of Foreclosure Evaluation inside the Treasury Department, to coordinate a great many efforts. The core purpose of this legislation is to provide Federal endorsement and financial assistance for setting up programs such as those now in existence in Philadelphia and Pittsburgh, and similar programs which exist in New York, New Jersey, Ohio, and Connecticut, that suspend foreclosure until there has been an opportunity, under court supervision, to have the borrower and the lender sit down to try to work out a plan to avoid foreclosure. My full statement, which I will ask consent to place in the RECORD, goes into some great detail about the problems that exist at the present time regarding foreclosures.

In addition to the legislation I am proposing, the Federal Deposit Insurance Corporation has proposed a program aimed at preventing an estimated 1.5 million foreclosures in the next year. I have talked to the FDIC Chairwoman Sheila Bair, and think her proposal is a good one. The legislation I am proposing and the program Chairwoman Bair has proposed would supplement legislation which is now pending in the Congress. Last October, Senator DURBIN and I separately introduced bills that would permit mortgages to be modified by the bankruptcy courts. However, Senator DURBIN's legislation would permit the court to modify the principal sum. I think that goes too far and would have the undesirable consequence of making it more difficult to obtain a mortgage in the future. My legislation authorizes the bankruptcy courts to modify interest rates on variable interest rate mortgages. In many cases, there was not full disclosure to borrowers who took out these loans. Then they found that their mortgage went from $1,200 a month, for illustrative purposes, to $2,000.

It is my hope that Congress would stay in session beyond just this week. It seems to me the economic problems

we faced last July, before we adjourned for the month of August, required our remaining in session; I urged the leaders of the Senate to keep the body in session during August. And, I urged the President to call the Congress back into session. It seems to me the problem of delinquent mortgages and foreclosures is critical at the moment. I noticed Senator DODD was quoted in the Washington Post last Friday as saying he plans to introduce legislation and that he thought the FDIC proposal was a good one.

We are finding so many people are facing the threat of foreclosure. This is an issue which ought to be considered further. Congress ought to stay in session, ought to work these issues through, and ought to remain in session long enough to consider the details necessary to make a rational judgment on the proposal of economic aid to General Motors and the other companies.

I ask unanimous consent that the full text of my floor statement on the mortgage issue and the full text of the legislation be printed in the RECORD as if set forth in full on the Senate floor.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FLOOR STATEMENT OF SENATOR ARLEN SPECTER ON INTRODUCTION OF THE FORECLOSURE DIVERSION AND MORTGAGE LOAN MODIFICATION ACT OF 2008

Mr. President, I seek recognition today to introduce the ''Foreclosure Diversion and Mortgage Loan Modification Act of 2008.'' The bill amends the recently passed Emergency Economic Stabilization Act and the Housing and Economic Recovery Act passed last July to ensure that more attention and resources are given to the urgent need to prevent home foreclosures and to stabilize the housing market.

The bill creates an Office of Foreclosure Evaluation in the Treasury Department. This Office will coordinate and foster foreclosure prevention efforts of the Treasury Department, the Federal Housing Finance Agency, the Federal Reserve, the Federal Deposit Insurance Corporation, the Department of Housing and Urban Development, and other federal agencies. The Office will also support and collaborate in foreclosure prevention efforts with state and local government agencies, state and local courts, and community based non-profit organizations, such as the State Foreclosure Prevention Working Group.

The current economic turmoil began with a housing market collapse that has had devastating consequences across the entire financial system. Widespread mortgage modification will address the root cause of the current crisis. Despite talk and efforts since early 2007 to encourage voluntary loan modification, the pace of affordable and sustainable modifications has not been of sufficient scale to contain the harm to our communities and our economy.

This month, HUD made a preliminary projection that only about 20,000 homeowners may be helped by the Hope for Homeowners program created as part of the Housing and Economic Recovery Act, instead of the anticipated 400,000. In October, a Federal Reserve Governor expressed concerns about the recent rise of shady companies that masquerade as non-profit foreclosure prevention organizations, and then charge distressed borrowers thousands of dollars for their services. Congress must act to ensure that homeowners are getting the information and help they need to prevent avoidable foreclosures.

For the second quarter of 2008, foreclosure filings nationwide were up 121 percent over the second quarter of 2007. Comparing third quarter filings, the 2008 increase over 2007 is 71 percent. Today there are more than 1.5 million houses in foreclosure—three times the normal rate—and approximately 3.5 million other homeowners are behind on their mortgage payments. Too many families are losing their homes even when it makes more sense for the lenders to let them stay and make payments on a sustainable, modified mortgage. And despite reports from industry groups that there have been many modifications, consumer groups say many of these modifications simply spread missed payments over the remaining life of the loan, which has the perverse effect of raising, not lowering, the monthly payment. A recent Credit Suisse report found that of those mortgages where the monthly payments increased, 44 percent were more than 60 days delinquent after 8 months. By contrast, of those mortgages that received an interest rate reduction, only 15 percent were more than 60 days delinquent after 8 months. Similarly, of those mortgages where the principal balance was reduced only 23 percent were delinquent. .

In some regions of the country the housing and job markets are holding up fairly well, but in other areas the increase in foreclosures is or will be devastating. But there is some good news: in some of the areas that have been hardest hit, there are newly instituted state-court based mortgage foreclosure diversion programs that require conciliation conferences between lenders and borrowers before a foreclosure or sheriff sale may proceed. In some places, there are hundreds of trained pro bono attorneys willing to help homeowners. Homeowners need these programs because, even though many states have housing financing programs, homeowners may not know about them and they may not know that lenders may offer modifications. A recent policy paper by the Mortgage Bankers Association of America showed that borrowers in 21% of foreclosures initiated in the third quarter of 2007 either could not be located or would not respond to repeated attempts by lenders to contact them. According to a report by Freddie Mac, 57 percent of late-paying borrowers do not know that their lenders may offer alternatives to help avoid foreclosure.

The October 17, 2008 Senate Judiciary Committee hearing I held in Pittsburgh explored Allegheny County's foreclosure prevention program, which is at an early stage. The Philadelphia hearing I held on October 24, 2008 explored a program that was adopted in April 2008, and it appears to be working. In the Philadelphia Mortgage Foreclosure Diversion Program's first few months, there were 1,019 mortgage foreclosure cases scheduled for conciliation conferences. In 467 cases (46%), borrowers did not participate. Of the 552 (54%) in which borrowers did participate, there was a ''success'' rate of 80%—meaning the homeowners remained in their homes as a result of settlement, postponement, or bankruptcy. Only 2 properties (.4%) were ordered to be sold at sheriff sale. The delays allow for more negotiation, or, in some cases for ''graceful exits'' so families can find a new place to live.

The witnesses at the Philadelphia hearing testified about successful outcomes for homeowners. One witness, Tania Harrigan, testified that her family fell behind in mortgage payments when her husband was laid off. They filed for bankruptcy but could not afford to pay the fees; the bankruptcy suit was dismissed and the house was listed for sheriff sale for November 4, 2008. Through the Philadelphia foreclosure prevention program, the interest rate was lowered from 9.75% to 7%, which reduced the monthly payment from $437 to $411. The lender waived $6,500 in late fees and the arrearage was put back into a new 30-year fixed rate mortgage. Another homeowner who was contacted through the program's door-to-door outreach initiative had an adjustable rate mortgage modified from a 22% interest rate to a fixed rate of 6%. Another homeowner saw a reduction in her monthly payments from $1479 to $1124 after the interest rate went from 9.9% to 5.5%. These were ''voluntary'' in the sense that the court did not impose the terms of the modifications. But the court does require communication, research and preparation before the conference. The court makes foreclosure a last resort instead of the first step by ensuring that servicers or lenders are not simply ignoring alternatives to foreclosure.

A city employee testified that, as a result of coordinated outreach, calls to the Save Your Home Philly Hotline, which sets up appointments with housing counselors, tripled from 150 per month at the beginning of the year to 460 per month currently. City-funded neighborhood assistance groups who have access to court foreclosure files go door-to-door to reach homeowners. The participation rate in the conciliation program for homeowners who answered the door and spoke to the outreach team was 73 percent, compared to 48 percent for families that received no such outreach. The city also funds Community Legal Services to provide legal assistance to distressed homeowners and training to the hundreds of volunteer attorneys who represent clients pro bono.

New York, New Jersey, Ohio, Connecticut and Florida have similar programs. As I've noted, Pittsburgh is also adopting a foreclosure diversion program. Common Pleas Court Judge Annette Rizzo in Philadelphia testified that she has had many inquiries about the foreclosure diversion program from numerous cities, states, and even from Sweden. These are good developments, and they should be nurtured.

That is what this legislation would do. It creates a federal Office of Foreclosure Evaluation that will encourage and assist cities and states in adopting mortgage foreclosure diversion programs. The Office will also conduct an informational campaign so that homeowners learn of state and federal housing finance programs that are available to help them, as well as other resources such as free counseling and legal representation by community legal services groups and local bar associations.

The states and cities are making progress, but federal assistance would help. The bill permits certain HUD Community Block Grant funds to be used for foreclosure prevention programs that provide free counseling and legal aid. Currently those funds may only be used for rehabilitation of vacant or foreclosed properties. There is also a provision that will free up funds so they may be used to support programs that provide legal advice and representation to homeowners in foreclosure actions; the current restriction on using funds for litigation is overly broad. Unlike some plans discussed in the press, this bill does not call for direct payments to borrowers. Rather, it makes federal funds available to support state and local foreclosure prevention programs that work.

The bill also addresses another reason there are not more affordable and sustainable loan modifications—even though modifications usually leave lenders with more money than the 50 cents on the dollar that a foreclosure sale typically brings them. Up until the last 10 or 15 years, a mortgage loan

involved two parties—the borrower and a bank that both originated the loan and retained the default risk. If the individual borrower had trouble, it was in the bank's interest to adjust the terms of the loan. But that is no longer the model. Through securitization, the risk of default has been transferred to investors. There is no longer a single entity that has an interest in reworking failing loans. The loans are pooled together and the stream of payments from those mortgages is divided up into securities owned by investors all over the world. A mortgage servicer manages the pools of loans and distributes the payments to investors. It is the mortgage servicer who has the ability to restructure a mortgage or foreclose on the property. However, the servicers do not have the same incentives that banks used to have. The way many pooling and servicing agreements (PSAs) are written, there may be no incentives for the servicers to restructure the loans. Servicers typically get paid a fee if they foreclose, but may have to absorb the cost of renegotiating the loans. One of the first steps the Office of Foreclosure Evaluation should take is to encourage servicers to use technology that would standardize the income to expense and loan resolution process to keep costs down. The Office also should determine what incentives may be needed to encourage servicers to modify contracts. It may ultimately be appropriate for the government to offer servicers a flat fee for each sustainable, affordable modification completed within a certain time period to help cover their additional costs.

Perhaps a more significant roadblock is that servicers are worried they may be sued by some of the investors. Many servicers still are thinking that it is best to simply pursue foreclosures. Congress tried to address this concern in the Housing and Economic Recovery Act of 2008 and again in the Emergency Economic Stabilization Act, by clarifying that, unless the contract or PSA clearly provides otherwise, the duty owed by the servicer to investors is owed to the entire pool and not to any individual groups or tranches of investors, but the servicers still appear to be reluctant or slow to modify.

The concerns of the servicers or lenders may not be unfounded. Recently, lawyers claiming to represent investors are challenging the settlement between Countrywide and 11 attorneys general; the settlement proposes to modify the loans of 400,000 borrowers. An October 24, 2008 article in the New York Times reported that certain hedge funds are opposing loan modifications because it might hurt their investments. At least two funds recently have warned servicers that they might be sued if they participated in government-backed plans to renegotiate delinquent loans. Congress must take action to protect homeowners who are getting caught in the middle. So far disputes over loan modifications have been theoretical because most mortgage servicers are not aggressively altering the terms of loans, but as a matter of public policy, we cannot let fear of tort and contract claims cause grave harm to consumers and the entire economy.

The bill addresses the litigation threat by requiring investors' attorneys to conduct a careful inquiry into the factual and legal bases of their claims, including consideration of the recent statutory clarification that the servicer's duty is to the entire pool of investors or beneficial owners. The attorneys also would have to obtain, as a prerequisite to filing suit, a certification from the new Office of Foreclosure Evaluation that the loan modifications in question were unreasonable or not permitted by restrictions on Real Estate Mortgage Investment Conduits under the Internal Revenue Code. This opinion would be admissible, but not conclusive. These administrative prerequisites should result in more uniformity, guidance and clarity regarding applicable legal standards and best practices for servicers, taking into account the public interest and current threat to our economy posed by barriers to reasonable modification. This is not complete immunity from suit. If the litigation threat continues to impede modifications, Congress may have to hold hearings to consider sufficient safeguards for servicers—taking into consideration the importance of having capital available for the mortgage market.

In addition, although financial services industry groups have criticized arbitrary quotas in PSAs that limit the percentage of loans in a pool that may be modified, some PSAs do contain such quotas. These quotas may have seemed reasonable before the housing market crashed, but they do not make sense now, are against public policy and, to the extent these quotas are less than 25% of the total, they are rendered unenforceable by this bill.

Finally, to ensure we have reliable data regarding mortgage loan modifications, the bill requires mortgage servicers to report detailed data to the Office of Foreclosure Evaluation. The bill also requires the Office to submit reports to Congress. This data will help the Office and Congress understand whether voluntary efforts are sufficient, and what specific barriers there may be to case-by-case loan modifications, including specific provisions in pooling and service agreements that may be impeding reasonable steps to avoid foreclosures.

In the end, case-by-case loan modifications may not be sufficient to appreciably slow the rate of foreclosures, in which case the government may have to consider other options. In that regard, I believe the proposal made recently by Sheila Bair, the Chairman of the FDIC, deserves close consideration. Ms. Bair's proposal is based on the FDIC's real world experience with 5000 troubled mortgages at IndyMac Bank, which the FDIC recently took over. Under the proposal, delinquent homeowners would have their mortgage payments reduced to as low as 31 percent of their monthly income. The modifications would be based on interest rate reductions, extension of the term of the mortgage, and principal forbearance—in that order. The same protocol would be applied to all delinquent mortgages, rather than having a case-by-case assessment of each mortgage. The Bair proposal may have the advantage of enabling rapid modification of large numbers of mortgages, stemming the tide of foreclosures. If a modified loan defaults later, the government would share up to half of the losses. The proposal would be funded under the $700 billion financial rescue package. I spoke to Ms. Bair last week, and she estimates her proposal could reach up to 2.2 million mortgages and enable 1.5 million homeowners to keep their homes. If effective, across-the-board rather than case-by-case modifications may be necessary.

In the meantime, the Foreclosure Diversion and Mortgage Loan Modification Act of 2008 will encourage servicers to engage in greater numbers of case-by-case mortgage modifications. This should be a goal those on both sides of the aisle can agree to. I urge my colleagues to support it.

By Mr. REID:

S. 3688. A bill to provide for additional emergency unemployment compensation, to amend the Emergency Economic Stabilization Act of 2008 to authorize loans to automobile manufacturers and component suppliers, and for other purposes; read the first time.

Mr. REID. 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 placed in the RECORD, as follows:

S. 3688

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—UNEMPLOYMENT COMPENSATION

SEC. 101. SHORT TITLE.

This title may be cited as the ''Unemployment Compensation Extension Act of 2008''.

SEC. 102. ADDITIONAL FIRST-TIER BENEFITS.

Section 4002(b)(1) of the Supplemental Appropriations Act, 2008 (26 U.S.C. 3304 note) is amended—

(1) in subparagraph (A), by striking ''50'' and inserting ''80''; and

(2) in subparagraph (B), by striking ''13'' and inserting ''20''.

SEC. 103. SECOND-TIER BENEFITS.

Section 4002 of the Supplemental Appropriations Act, 2008 (26 U.S.C. 3304 note) is amended by adding at the end the following:

''(c) SPECIAL RULE.—

''(1) IN GENERAL.—If, at the time that the amount established in an individual's account under subsection (b)(1) is exhausted or at any time thereafter, such individual's State is in an extended benefit period (as determined under paragraph (2)), such account shall be augmented by an amount equal to the lesser of—

''(A) 50 percent of the total amount of regular compensation (including dependents' allowances) payable to the individual during the individual's benefit year under the State law, or

''(B) 13 times the individual's average weekly benefit amount (as determined under subsection (b)(2)) for the benefit year.

''(2) EXTENDED BENEFIT PERIOD.—For purposes of paragraph (1), a State shall be considered to be in an extended benefit period, as of any given time, if—

''(A) such a period is then in effect for such State under the Federal-State Extended Unemployment Compensation Act of 1970;

''(B) such a period would then be in effect for such State under such Act if section 203(d) of such Act—

''(i) were applied by substituting '4' for '5' each place it appears; and

''(ii) did not include the requirement under paragraph (1)(A) thereof; or

''(C) such a period would then be in effect for such State under such Act if—

''(i) section 203(f) of such Act were applied to such State (regardless of whether the State by law had provided for such application); and

''(ii) such section 203(f)—

''(I) were applied by substituting '6.0' for '6.5' in paragraph (1)(A)(i) thereof; and

''(II) did not include the requirement under paragraph (1)(A)(ii) thereof.

''(3) LIMITATION.—The account of an individual may be augmented not more than once under this subsection.''.

SEC. 104. PHASEOUT PROVISIONS.

Section 4007(b) of the Supplemental Appropriations Act, 2008 (26 U.S.C. 3304 note) is amended—

(1) in paragraph (1), by striking ''paragraph (2),'' and inserting ''paragraphs (2) and (3),''; and

(2) by striking paragraph (2) and inserting the following:

''(2) NO AUGMENTATION AFTER MARCH 31, 2009.—If the amount established in an individual's account under subsection (b)(1) is exhausted after March 31, 2009, then section 4002(c) shall not apply and such account shall not be augmented under such section, regardless of whether such individual's State is in an extended benefit period (as determined under paragraph (2) of such section).

''(3) TERMINATION.—No compensation under this title shall be payable for any week beginning after August 27, 2009.''.

SEC. 105. TEMPORARY FEDERAL MATCHING FOR THE FIRST WEEK OF EXTENDED BENEFITS FOR STATES WITH NO WAITING WEEK.

With respect to weeks of unemployment beginning after the date of the enactment of this Act and ending on or before December 8, 2009, subparagraph (B) of section 204(a)(2) of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note) shall not apply.

SEC. 106. EFFECTIVE DATE.

(a) IN GENERAL.—The amendments made by sections 102, 103, and 104 shall apply as if included in the enactment of the Supplemental Appropriations Act, 2008, subject to subsection (b).

(b) ADDITIONAL BENEFITS.—In applying the amendments made by sections 102 and 103, any additional emergency unemployment compensation made payable by such amendments (which would not otherwise have been payable if such amendments had not been enacted) shall be payable only with respect to any week of unemployment beginning on or after the date of the enactment of this Act.

TITLE II—AUTOMOBILE INDUSTRY EMERGENCY ASSISTANCE

SEC. 201. DIRECT BRIDGE LOANS TO MANUFACTURERS AND SUPPLIERS.

(a) IN GENERAL.—The Emergency Economic Stabilization Act of 2008 (division A of Public Law 110–343) is amended by adding at the end the following:

''TITLE IV—DIRECT BRIDGE LOAN PROVISIONS

''SEC. 401. FINDINGS.

''Congress finds that extraordinary and exigent circumstances have prevented the automobile industry from securing essential credit and liquidity from other sources and that the failure of the automobile industry to obtain such credit and liquidity will have a systemic adverse effect on the economy.

''SEC. 402. PURPOSES.

''The purposes of this title are—

''(1) to clarify that authority and facilities are available to be used immediately by the Secretary to restore liquidity and stability to the automobile industry in the United States;

''(2) to ensure that such authority and such facilities are used in a manner that—

''(A) stimulates manufacturing and sales of automobiles produced by automobile manufacturers in the United States;

''(B) enhances the ability and the capacity of the domestic automobile industry to pursue the timely and aggressive production of energy-efficient advanced technology vehicles;

''(C) preserves and promotes the jobs of 355,000 workers in the United States directly employed by the automobile industry and an additional 4,500,000 workers in the United States employed in related industries; and

''(D) safeguards the ability of the domestic automobile industry to provide retirement and health care benefits for 1,000,000 retirees and their spouses and dependents; and

''(3) to reaffirm the purposes of section 2, which include providing the Secretary with broad authority to restore liquidity and stability to financial institutions, including automobile finance companies.

''SEC. 403. EMERGENCY DIRECT LOAN PROGRAM.

''(a) IN GENERAL.—The Secretary shall make loans in an aggregate amount equal to $25,000,000,000, to automobile manufacturers and component suppliers that have—

''(1) submitted an application for a loan under this title that includes a statement of need for Government funding under this title to prevent a systemic adverse effect on the United States economy;

''(2) operated a manufacturing facility for the purposes of producing automobiles or automobile components in the United States throughout the 20-year period ending on the date of enactment of this title; and

''(3) operations in the United States the failure of which would have a systemic adverse effect on the overall United States economy, as determined by the Secretary.

''(b) ALLOCATION.—In allocating loan amounts under this title, the Secretary shall prioritize the distribution of loans under this section based on the magnitude of the impact of the manufacturing operations of the applicant in the United States on the overall economy of the United States and other segments of the automobile industry, including the impact on levels of employment, domestic manufacturing of automobiles and automobile components, and automobile dealerships.

''(c) PLAN FOR LONG-TERM FINANCIAL VIABILITY.—At the time of application for a loan under this title, an automobile manufacturer or component supplier shall submit to the Secretary a detailed plan on how the Government funds requested will be utilized to ensure the long-term financial posture of the company, and how such funds will stimulate automobile production in the United States and improve the capacity of the company to pursue the timely and aggressive production of energy-efficient advanced technology vehicles.

''SEC. 404. FUNDING FROM THIRD TRANCHE; TREATMENT OF LOAN AMOUNTS.

''The costs incurred by the Federal Government in making loans under this title, including credit subsidy costs and administrative expenses, shall be covered out of the funds made available to the Secretary generally under section 118 and, specifically, not from funds which are described in paragraph (1) or (2) of section 115(a), but with respect to the availability of which the reporting and procedural requirements contained in paragraph (3) of such section and section 115(c) shall not apply.

''SEC. 405. TIMING OF DISBURSEMENTS.

''(a) APPLICATIONS.—On and after the date that is 3 days after the date of enactment of this title, the Secretary shall accept applications for loans under this title.

''(b) DETERMINATION OF ELIGIBILITY.—Not later than 15 days after the date on which the Secretary receives an application for a loan under subsection (a), the Secretary shall make a determination regarding the eligibility of the applicant, based on whether the applicant meets the requirements of section 403(a).

''(c) DISBURSEMENT.—The Secretary shall begin disbursement of the proceeds of a loan under this title to an eligible applicant not later than 7 days after the date on which the Secretary receives a disbursal request from the applicant, upon a determination of the Secretary that the applicant is eligible under subsection (b).

''SEC. 406. TERMS AND CONDITIONS.

''(a) TERM TO MATURITY.—The term to maturity of any loan made under this title shall be 10 years, or such longer period as the Secretary may determine with respect to such loan.

''(b) RATE OF INTEREST.—The annual rate of interest for a loan under this title shall be—

''(1) 5 percent during the 5-year period beginning on the date on which the Secretary disburses the loan; and

''(2) 9 percent after the end of the period described in paragraph (1).

''(c) WARRANTS AND DEBT INSTRUMENTS.—The Secretary may not make a loan under this title unless the Secretary receives from the automobile manufacturer or component supplier a warrant or senior debt instrument made in accordance with the requirements for a warrant or senior debt instrument by a financial institution under section 113(d).

''(d) NO PREPAYMENT PENALTY.—A loan made under this title shall be prepayable without penalty at any time.

''(e) EXECUTIVE COMPENSATION.—

''(1) STANDARDS REQUIRED.—The Secretary shall require any recipient of a loan under this title to meet appropriate standards for executive compensation and corporate governance.

''(2) SPECIFIC REQUIREMENTS.—The standards established under paragraph (1) shall include the following:

''(A) Limits on compensation that exclude incentives for senior executive officers of a recipient of a loan under this title to take unnecessary and excessive risks that threaten the value of such recipient during the period that the loan is outstanding.

''(B) A provision for the recovery by such recipient of any bonus or incentive compensation paid to a senior executive officer based on statements of earnings, gains, or other criteria that are later found to be materially inaccurate.

''(C) A prohibition on such recipient making any golden parachute payment to a senior executive officer during the period that the loan under this title is outstanding.

''(D) A prohibition on such recipient paying or accruing any bonus or incentive compensation during the period that the loan is outstanding to any executive whose annual base compensation exceeds $250,000 (which amount shall be adjusted by the Secretary for inflation).

''(E) A prohibition on any compensation plan that could encourage manipulation of the reported earnings of the recipient to enhance the compensation of any of its employees.

''(3) DEFINITIONS.—For purposes of this subsection, the following definitions shall apply:

''(A) SENIOR EXECUTIVE OFFICER.—The term 'senior executive officer' means an individual who is 1 of the top 5 most highly paid executives of a public company, whose compensation is required to be disclosed pursuant to the Securities Exchange Act of 1934, and any regulations issued thereunder, and non-public company counterparts.

''(B) GOLDEN PARACHUTE PAYMENT.—The term 'golden parachute payment' means any payment to a senior executive officer for departure from a company for any reason.

''(f) PROHIBITION ON PAYMENT OF DIVIDENDS.—No common stock dividends may be paid by any recipient of a loan under this title for the duration of the loan.

''SEC. 407. OVERSIGHT.

''(a) IN GENERAL.—The provisions of sections 105, 116, 121, and 125 shall apply with respect to any loans made under this title, to the extent possible, in the same manner and to the same extent as such sections apply to transactions made under the authority of title I.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Emergency Economic Stabilization Act of 2008 (division A of Public Law 110–343) is amended—

(A) by inserting after the item relating to section 3 the following new item:

''Sec. 4. References.''

; and

(B) by adding at the end the following:

''TITLE IV—DIRECT BRIDGE LOAN PROVISIONS

''Sec. 401. Findings.
''Sec. 402. Purposes.
''Sec. 403. Emergency direct loan program.
''Sec. 404. Funding from third tranche; treatment of loan amounts.
''Sec. 405. Timing of disbursements.
''Sec. 406. Terms and conditions.
''Sec. 407. Oversight.''

; and

(2) REFERENCES.—The Emergency Economic Stabilization Act of 2008 (division A of Public Law 110–343) is amended by inserting after section 3 the following new section:

''SEC. 4. REFERENCES.

''Any reference—

''(1) in this division to 'this Act' or any subdivision thereof is a reference to this division A or any subdivision thereof;

''(2) in division (B) to 'this Act' or any subdivision thereof is a reference to division B or any subdivision thereof; and

''(3) in division (C) to 'this Act' or any subdivision thereof is a reference to division C or any subdivision thereof.''.

TITLE III—EMERGENCY TREATMENT

SEC. 301. EMERGENCY TREATMENT.

All provisions of this Act and the amendments made by this Act are designated as an emergency requirement and necessary to meet emergency needs pursuant to section 204(a) of S. Con. Res 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008.

By Mr. REID (for himself and Mr. BYRD):

S. 3689. A bill making supplemental appropriations for job creation and preservation, infrastructure investment, and economic and energy assistance for the fiscal year ending September 30, 2009, and for other purposes; read the first time.

Mr. REID. 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 placed in the RECORD, as follows:

S. 3689

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2009, and for other purposes, namely:

TITLE I

INFRASTRUCTURE, ENERGY, AND ECONOMIC RECOVERY

CHAPTER 1

DEPARTMENT OF AGRICULTURE

FARM SERVICE AGENCY

SALARIES AND EXPENSES

For an additional amount for ''Farm Service Agency, Salaries and Expenses'', for the purpose of maintaining and modernizing the information technology system, $171,700,000, to remain available until expended.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE PROGRAM ACCOUNT

For an additional amount for gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: $171,000,000 for section 502 direct loans, and $3,000,000,000 for section 502 unsubsidized guaranteed loans.

For an additional amount for the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, to remain available until expended, as follows: $11,500,000 for section 502 direct loans, and $38,100,000 for section 502 unsubsidized guaranteed loans.

RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

For an additional amount for gross obligations for the principal amount of direct and guaranteed loans and grants as authorized by section 306 of the Consolidated Farm and Rural Development Act, to be available from the rural community facilities program account, as follows: $612,000,000 for rural community facilities direct loans; $130,000,000 for guaranteed rural community facilities loans; and $50,000,000 for rural community facilities grants.

For an additional amount for the cost of direct loans, guaranteed loans, and grants, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, to remain available until expended, as follows: $35,000,000 for rural community facilities direct loans; $4,000,000 for rural community facilities guaranteed loans; and $50,000,000 for rural community facilities grants.

RURAL BUSINESS—COOPERATIVE SERVICE

RURAL BUSINESS PROGRAM ACCOUNT

For an additional amount for gross obligations for the principal amount of guaranteed loans as authorized by section 310B(a)(2)(A) of the Consolidated Farm and Rural Development Act, to be available from the rural business program account, as follows: $1,000,000,000 for business and industry guaranteed loans.

For an additional amount for the cost of guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, to remain available until expended, as follows: $43,500,000 for business and industry guaranteed loans.

RURAL BUSINESS ENTERPRISE GRANTS

For an additional amount for ''Rural Business Enterprise Grants'', $40,000,000, to remain available until expended.

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

For an additional amount for gross obligations for the principal amount of direct loans as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), $30,000,000.

For an additional amount for the cost of direct loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, to remain available until expended, $12,600,000, for direct loans as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)).

RURAL UTILITIES SERVICE

RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

For an additional amount for the cost of direct loans, loan guarantees, and grants for the rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, and 310B and described in sections 306C(a)(2), 306D, and 381E(d)(2) of the Consolidated Farm and Rural Development Act, $200,000,000, to remain available until expended.

FOOD AND NUTRITION SERVICE

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN

For an additional amount for the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $445,000,000.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

For an additional amount for the Emergency Food Assistance Program, as authorized by Section 4201 of Public Law 110–246, $50,000,000, of which the Secretary may use up to 10 percent for costs associated with the distribution of commodities.

COMMODITY ASSISTANCE PROGRAM

For an additional amount for the Commodity Supplemental Food Program, $8,218,000, to support additional food purchases.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1101. (a) Hereafter, in this section, the term ''nonambulatory disabled cattle'' means cattle, other than cattle that are less than 5 months old or weigh less than 500 pounds, subject to inspection under section 3(b) of the Federal Meat Inspection Act (21 U.S.C. 603(b)) that cannot rise from a recumbent position or walk, including cattle with a broken appendage, severed tendon or ligament, nerve paralysis, fractured vertebral column, or a metabolic condition.

(b) Hereafter, none of the funds made available under this or any other Act may be used to pay the salaries or expenses of any personnel of the Food Safety and Inspection Service to pass through inspection any nonambulatory disabled cattle for use as human food, regardless of the reason for the nonambulatory status of the cattle or the time at which the cattle became nonambulatory.

(c) Hereafter, in addition to any penalties available under the Federal Meat Inspection Act (21 U.S.C. 601 et seq.), the Secretary shall impose penalties consistent with sections 10414 and 10415 of the Animal Health Protection Act (7 U.S.C. 8313, 8314) on any establishment that slaughters nonambulatory disabled cattle or prepares a carcass, part of a carcass, or meat or meat food product, from any nonambulatory disabled cattle, for use as human food.

SEC. 1102. FARM RELIEF. (a) SHORT TITLE.—This section may be cited as the ''Farm Relief Act of 2008''.

(b) 2008 CROP DISASTER ASSISTANCE.—Section 9001 of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28; 121 Stat. 211) is amended—

(1) in subsection (a)—

(A) by striking ''There are hereby'' and inserting the following:

''(1) IN GENERAL.—There are hereby''; and

(B) by adding at the end the following:

''(2) 2008 CROP DISASTER ASSISTANCE.—

''(A) IN GENERAL.—There are hereby appropriated to the Secretary such sums as are necessary, to remain available until expended, to make emergency financial assistance under this section available to producers on a farm that incurred qualifying quantity or quality losses for the 2008 crop due a natural disaster or any related condition, as determined by the Secretary.

''(B) SUGAR AND SUGARCANE DISASTER ASSISTANCE.—

''(i) FLORIDA.—There are hereby appropriated to the Secretary such sums as are necessary, to remain available until expended, to make payments to processors in Florida that are eligible to obtain a loan under section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)) to compensate first processors and producers for crop and other losses due a natural disaster or any related condition, as determined by the Secretary, in Florida during calendar year 2008, by an agreement on the same terms and conditions, to the maximum extent practicable, as

the payments made under section 102 of the Emergency Supplemental Appropriations for Hurricane Disasters Assistance Act of 2005 (Public Law 108–324; 118 Stat. 1235), including that the 2008 base production of each harvesting unit shall be determined using the same base year crop production history that was used pursuant to the agreement under that section.

''(ii) LOUISIANA.—

''(I) COMPENSATION FOR LOSSES.—There are hereby appropriated to the Secretary such sums as are necessary, to remain available until expended, to make assistance available to first processors of sugarcane that operate in a county affected by a natural disaster, or obtain sugarcane from a county affected by a natural disaster, in Louisiana and that are eligible to obtain a loan under section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)), in the form of monetary payments or commodities in the inventory of the Commodity Credit Corporation derived from carrying out that section, to compensate producers and first processors for crop and other losses due to the natural disaster or any related condition, as determined by the Secretary.

''(II) ADMINISTRATION.—Assistance under this clause shall be—

''(aa) shared by an affected first processor with affected producers that provide commodities to the processor in a manner that reflects contracts entered into between the processor and the producers, except with respect to a portion of the amount of total assistance provided under subclause (I) necessary to compensate affected producers for individual losses experienced by the producers, including losses due to saltwater intrusion, flooding, wind damage, or increased planting, replanting, or harvesting costs, which shall be transferred by the first processor to the affected producers without regard to contractual share arrangements; and

''(bb) made available under such terms and conditions as the Secretary determines are necessary to carry out this clause.

''(III) FORM OF ASSISTANCE.—In carrying out this clause, the Secretary shall—

''(aa) convey to the first processor commodities in the inventory of the Commodity Credit Corporation derived from carrying out section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a));

''(bb) make monetary payments to the first processor; or

''(cc) take any combination of actions described in items (aa) and (bb), using commodities or monetary payments.

''(IV) LOSS DETERMINATION.—In carrying out this clause, the Secretary shall use the same base year to determine crop loss that was elected by a producer to determine crop loss in carrying out the hurricane assistance program under section 207 of the Agricultural Assistance Act of 2003 (Public Law 108–7; 117 Stat. 543).

''(iii) TEXAS.—There are hereby appropriated to the Secretary such sums as are necessary, to remain available until expended, to assist sugarcane growers in Texas by making a payment in that amount to a farmer-owned cooperative sugarcane processor in that State, for costs of demurrage, storage, and transportation resulting from natural disaster or any related condition during calendar year 2008.

''(C) RELATION TO SUPPLEMENTAL AGRICULTURAL DISASTER ASSISTANCE PROGRAM.—A producer on a farm that accepts assistance made available under this paragraph for a crop loss is not eligible to receive supplemental agricultural disaster assistance for that crop loss under subtitle B of the Federal Crop Insurance Act (7 U.S.C. 1531) or title IX of the Trade Act of 1974 (19 U.S.C. 2497 et seq.).''; and

(2) in subsection (b), by striking ''this section'' each place it appears and inserting ''subsection (a)(1)''.

(c) AQUACULTURE GRANTS.—

(1) IN GENERAL.—The Secretary of Agriculture shall make available grants under this subsection to appropriate State departments of agriculture (or other appropriate State agencies) that agree to assist producers of animals described in section 10806(a)(1) of the Farm Security and Rural Investment Act of 2002 (21 U.S.C. 321d(a)(1)) injured by increased costs for animal feed and that agree to comply with paragraph (2).

(2) ELIGIBILITY FOR GRANTS.—To be eligible to receive a grant under this subsection, the State department of agriculture (or other appropriate State agency) shall—

(A) agree to use the grants to distribute feed assistance through animal feed providers; and

(B) agree to require such animal feed providers to make such feed assistance available on a pro rata basis to active producers described in paragraph (1) based on documented feed use by such producers in 2007.

(3) FEED ASSISTANCE.—The Secretary shall make such grants available to such State departments of agriculture or other agencies allocated on a pro rata basis, based on total tons of feed for such animals consumed in such State in 2007.

(4) FUNDING.—There are hereby appropriated $50,000,000 to carry out this subsection.

CHAPTER 2

DEPARTMENT OF COMMERCE

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For an additional amount for ''Economic Development Assistance Programs'' for economic adjustment assistance as authorized by section 209 of the Public Works and Economic Development Act of 1965, as amended (42 U.S.C. 3149), $50,000,000, to remain available until expended: *Provided*, That in allocating funds provided in the previous proviso, the Secretary of Commerce shall give priority consideration to areas of the Nation that have experienced sudden and severe economic dislocation and job loss due to corporate restructuring.

DEPARTMENT OF JUSTICE

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $50,000,000, for the United States Marshals Service, to implement and enforce the Adam Walsh Child Protection and Safety Act (Public Law 109–248) to apprehend non-compliant sex offenders.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $75,000,000.

OFFICE OF JUSTICE PROGRAMS

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For an additional amount for ''State and Local Law Enforcement Assistance'' Edward Byrne Memorial Justice Assistance Grant program as authorized by subpart 1 of part E of title I of the Omnibus Crime Control and Safe Street Act of 1968 (''1968 Act''), (except that section 1001(c), and the special rules for Puerto Rico under section 505(g), of the 1968 Act, shall not apply for purposes of this Act), $490,000,000.

For an additional amount for ''State and Local Law Enforcement Assistance'', $100,000,000, for competitive grants to provide assistance and equipment to local law enforcement along the Southern border and in High-Intensity Drug Trafficking Areas to combat criminal narcotic activity stemming from the Southern border, of which $15,000,000 shall be transferred to the ''Bureau of Alcohol, Tobacco, Firearms and Explosives'', ''Salaries and Expenses'' for the ATF Project Gunrunner.

COMMUNITY ORIENTED POLICING SERVICES

For additional amount for ''Community Oriented Policing Services'', for grants under section 1701 of title I of the 1968 Omnibus Crime Control and Safe Streets Act (42 U.S.C. 379dd) for hiring and rehiring of additional career law enforcement officers under part Q of such title notwithstanding subsection (i) of such section, $500,000,000.

SCIENCE

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

RETURN TO FLIGHT

For necessary expenses, not otherwise provided for, in carrying out return to flight activities associated with the space shuttle and activities from which funds were transferred to accommodate return to flight activities, $400,000,000, with such sums as determined by the Administrator of the National Aeronautics and Space Administration as available for transfer to ''Science'', ''Aeronautics'', ''Exploration'', and ''Space Operations'' for restoration of funds previously reallocated to meet return to flight activities.

RELATED AGENCY

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For an additional amount for ''Payment to the Legal Services Corporation'', $37,500,000, to provide legal assistance related to home ownership preservation, home foreclosure prevention, and tenancy associated foreclosure: *Provided*, That each limitation on expenditures, and each term or condition, that applies to funds appropriated to the Legal Services Corporation under the Consolidated Appropriations Act of 2008 (Public Law 110–61), shall apply to funds appropriated under this Act: *Provided further*, That priority shall be given to entities and individuals that (1) provide legal assistance in the 100 metropolitan statistical areas (as defined by the Director of the Office of Management and Budget) with the highest home foreclosure rates; and (2) have the capacity to begin using the funds within 90 days of receipt of the funds.

CHAPTER 3

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

CONSTRUCTION

For an additional amount for ''Construction'' for expenses necessary for the construction of river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related projects authorized by law, $400,000,000, to remain available until expended: *Provided*, That not less than $100,000,000 of the funds provided shall be for environmental infrastructure assistance: *Provided further*, That not less than $75,000,000 of the funds provided shall be for rehabilitation of Corps of Engineers owned or operated hydropower infrastructure: *Provided further*, That 33 U.S.C. 2221 shall not apply to funds provided in this Act: *Provided further*, That notwithstanding any other provision of law, funds provided in this Act shall not be cost shared with the Inland Waterways Trust Fund as authorized in Public Law 99–662: *Provided further*, That

funds provided in this Act may only be used for programs, projects or activities previously funded: *Provided further,* That funds provided in this Act shall be used for elements of projects, programs or activities that can be completed within these funding amounts and shall not create budgetary obligations in future fiscal years: *Provided further,* That the Secretary of the Army shall submit a report to the House and Senate Appropriations Committees within 45 days of enactment of this Act, specifying the projects, programs or activities that are to be funded with these supplemental funds: *Provided further,* That these funds must be obligated no later than December 31, 2010.

OPERATIONS AND MAINTENANCE

For an additional amount for ''Operation and Maintenance'' for expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law, and for surveys and charting of northern and northwestern lakes and connecting waters, clearing and straightening channels, and removal of obstructions to navigation, $500,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of operation and maintenance costs for coastal harbors and channels, and inland harbors shall be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662; and of which such sums as become available under section 217 of the Water Resources Development Act of 1996, Public Law 104–303, shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which fees have been collected: *Provided,* That not less than $150,000,000 of the funds provided shall be used for dredging any authorized inland and coastal waterways and ports to provide useful navigable widths and depths: *Provided further,* That not less than $25,000,000 of the funds provided shall be used for rehabilitation of public use areas at Corps of Engineers projects and facilities: *Provided further,* That $75,000,000 of the funds provided shall be used for maintenance activities for Corps of Engineers owned or operated hydropower infrastructure: *Provided further,* That funds provided in this Act may only be used for programs, projects or activities previously funded: *Provided further,* That funds provided in this Act shall be used for elements of projects, programs or activities that can be completed within these funding amounts and shall not create budgetary obligations in future fiscal years: *Provided further,* That the Secretary of the Army shall submit a report to the House and Senate Appropriations Committees within 45 days of enactment of this Act, specifying the projects, programs or activities that are to be funded with these supplemental funds: *Provided further,* That these funds must be obligated no later than December 31, 2010.

MISSISSIPPI RIVER AND TRIBUTARIES

For an additional amount for ''Mississippi River and Tributaries'' for expenses necessary for the flood damage reduction program for the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, $100,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of operation and maintenance costs for inland harbors shall be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662: *Provided,* That not less than $75,000,000 of the funds provided shall be utilized for flood control, ecosystem restoration, and backlog maintenance of facilities along the tributaries of the mainstem of the river eligible under this account: *Provided further,* That funds provided in this Act may only be used for programs, projects or activities previously funded in Acts making appropriations for Energy and Water Development: *Provided further,* That funds provided in this Act shall be used for elements of projects, programs or activities that can be completed within these funding amounts and shall not create budgetary obligations in future fiscal years: *Provided further,* That the Secretary of the Army shall submit a report to the House and Senate Appropriations Committees within 45 days of enactment of this Act, specifying the projects, programs or activities that are to be funded with these supplemental funds: *Provided further,* That these funds must be obligated no later than December 31, 2010.

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

For an additional amount for ''Water and Related Resources'' for management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilitation and modification of reclamation and other facilities, including improvements or modification to provide environmental benefit, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, federally recognized Indian tribes, and others, $200,000,000, to remain available until expended: *Provided,* That not less than $50,000,000 of the funds provided under this heading shall be used for rural water projects and these funds should be concentrated on water intake and treatment facilities: *Provided further,* That not less than $5,000,000 of the funds provided under this heading shall be used for a bureauwide program for inspection of canals in urbanized areas: *Provided further,* That not less than $45,000,000 of the funds provided under this heading shall be used for water reclamation and reuse projects: *Provided further,* That not less than $15,000,000 of the funds provided under this heading shall be for maintenance and rehabilitation of Bureau of Reclamation owned or operated hydropower infrastructure: *Provided further,* That funds provided in this Act may only be used for programs, projects or activities previously funded: *Provided further,* That funds provided in this Act shall be used for elements of projects, programs or activities that can be completed within these funding amounts and shall not create budgetary obligations in future fiscal years: *Provided further,* That the Secretary of the Interior shall submit a report to the House and Senate Appropriations Committees within 45 days of enactment of this Act, specifying the projects, programs or activities that are to be funded with these supplemental funds: *Provided further,* That these funds must be obligated no later than December 31, 2010.

DEPARTMENT OF ENERGY

ENERGY EFFICIENCY AND RENEWABLE ENERGY

For an additional amount for ''Energy Efficiency and Renewable Energy'', $1,800,000,000, to remain available until expended: *Provided,* That of the funds appropriated, $500,000,000 is directed to the Weatherization Assistance Program: *Provided further,* That of the funds appropriated, not less than $300,000,000 is directed to advance battery technology research, development, and demonstration: *Provided further,* That of the funds appropriated, $500,000,000 is directed to competitively awarded local government and tribal technology demonstration grants.

ELECTRICITY DELIVERY AND ENERGY RELIABILITY

For an additional amount for ''Electricity Delivery and Energy Reliability'', $140,000,000, to remain available until expended: *Provided,* That funds shall be available for expenses related to smart grid technologies, critical energy facility process operation systems, and cyber security of control systems.

NON-DEFENSE ENVIRONMENTAL CLEANUP

For an additional amount for ''Non-Defense Environmental Cleanup'', $150,000,000, to remain available until expended.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For an additional amount for ''Uranium Enrichment Decontamination and Decommissioning Fund'', $170,000,000, to remain available until expended.

SCIENCE

For an additional amount for ''Science'', $175,000,000, to remain available until expended.

ADVANCED BATTERY LOAN GUARANTEE PROGRAM

For the cost of guaranteed loans as authorized by section 135 of the Energy Independence and Security Act of 2007 (Public Law 110–140; 42 U.S.C. 17012), $1,000,000,000, to remain available until expended: *Provided,* That of such amount, $5,000,000 shall be used for administrative expenses in carrying out the guaranteed loan program.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

For an additional amount for ''Weapons Activities'', $100,000,000, to remain available until expended.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL CLEANUP

For an additional amount for ''Defense Environmental Cleanup'', $800,000,000, to remain available until expended.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1301. FUTUREGEN. (a) Subject to subsection (b), the Secretary of Energy shall reinstate and continue—

(1) the cooperative agreement numbered DE–FC–26–06NT42073 (as in effect on May 15, 2008); and

(2) Budget Period 1, under such agreement, through July 31, 2009.

(b) During the period beginning on the date of enactment of this Act and ending March 31, 2009—

(1) The agreement described in subsection (a) may not be terminated except by the mutual consent of the parties to the agreement; and

(2) Funds may be expended under the agreement only to complete and provide information and documentation to the Department of Energy.

SEC. 1302. Section 1222(g) of the Energy Policy Act of 2005 (Public Law 109–58; 42 U.S.C. 16421) is amended by striking ''$100,000,000'' and inserting ''$2,500,000,000''.

CHAPTER 4

DEPARTMENT OF THE TREASURY

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $10,550,000, to carry out the provisions of the Inspector General Act of 1978, including material loss reviews in conjunction with bank failures.

COMMODITY FUTURES TRADING COMMISSION

SALARIES AND EXPENSES

For an additional amount to carry out the provisions of the Commodity Exchange Act

(7 U.S.C. 1 et seq.), $13,100,000, of which $8,000,000 shall remain available until September 30, 2010.

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

(LIMITATION ON AVAILABILITY)

For an additional amount to be deposited in the Federal Buildings Fund, $547,639,000, to be used by the Administrator of General Services for GSA real property activities; of which $201,000,000 shall be used for construction, repair and alteration of border inspection facility projects for any previously funded or authorized prospectus level project, for which additional funding is required, to expire on September 30, 2009 and remain in the Federal Buildings Fund except for funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date; and of which $346,639,000 shall be used for the development and construction of the St. Elizabeths campus in the District of Columbia, to remain available until expended and remain in the Federal Buildings Fund except for funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date: *Provided,* That each of the foregoing limits of costs on new construction projects may be exceeded to the extent that savings are effected in other such projects, but not to exceed 10 percent of the amounts provided unless advance approval is obtained from the Committees on Appropriations of a greater amount.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount to be available until September 30, 2010, $4,000,000 for marketing, management, and technical assistance under section 7(m)(4) of the Small Business Act (15 U.S.C. 636(m)(4)) by intermediaries that make microloans under the Microloan program.

For an additional amount to be available until September 30, 2010, $15,000,000 for lender oversight activities as authorized under section 1401(c) of this Act.

BUSINESS LOANS PROGRAM ACCOUNT

For an additional amount for the cost of direct loans, $1,000,000, to remain available until September 30, 2010; and for an additional amount for the cost of guaranteed loans, $615,000,000, to remain available until September 30, 2010: *Provided,* That of the amount for the cost of guaranteed loans, $515,000,000 shall be for loan subsidies and loan modifications for loans to small business concerns authorized under section 1401(a) of this Act; and $100,000,000 shall be for loan subsidies and loan modifications for loans to small business concerns authorized under section 1401(b) of this Act: *Provided further,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

ADMINISTRATIVE PROVISIONS—SMALL BUSINESS ADMINISTRATION

SEC. 1401. ECONOMIC STIMULUS FOR SMALL BUSINESS CONCERNS. (a) TEMPORARY FEE ELIMINATION FOR THE 7(A) LOAN PROGRAM.—Until September 30, 2010, and to the extent the cost of such elimination of fees is offset by appropriations, with respect to each loan guaranteed under section 7(a) of Small Business Act (15 U.S.C. 636(a)) for which the application is approved on or after the date of enactment of this Act, the Administrator shall—

(1) in lieu of the fee otherwise applicable under section 7(a)(23)(A) of the Small Business Act (15 U.S.C. 636(a)(23)(A)), collect no fee; and

(2) in lieu of the fee otherwise applicable under section 7(a)(18)(A) of the Small Business Act (15 U.S.C. 636(a)(18)(A)), collect no fee.

(b) TEMPORARY FEE ELIMINATION FOR THE 504 LOAN PROGRAM.—

(1) IN GENERAL.—Until September 30, 2010, and to the extent the cost of such elimination in fees is offset by appropriations, with respect to each project or loan guaranteed by the Administrator under title V of the Small Business Investment Act of 1958 (15 U.S.C. 695 et seq.) for which the application is approved or pending approval on or after the date of enactment of this Act—

(A) the Administrator shall, in lieu of the fee otherwise applicable under section 503(d)(2) of the Small Business Investment Act of 1958 (15 U.S.C. 697(d)(2)) for an institution described in subclause (I), (II), or (III) of section 502(3)(B)(i) of that Act (15 U.S.C. 696(3)(B)(i)), collect no fee;

(B) a development company shall, in lieu of the mandatory 0.625 servicing fee under section 120.971(a)(3) of title 13, Code of Federal Regulations (relating to fees paid by borrowers), or any successor thereto, collect no fee; and

(C) the Administrator shall, in lieu of the fee otherwise applicable under section 503(d)(3) of the Small Business Investment Act (15 U.S.C. 697(d)(3)), collect no fee.

(2) REIMBURSEMENT FOR WAIVED FEES.—

(A) IN GENERAL.—To the extent the cost of such payments is offset by appropriations, the Administrator shall reimburse each development company that does not collect a servicing fee pursuant to paragraph (1)(B).

(B) AMOUNT.—The payment to a development company under subparagraph (A) shall be in an amount equal to 0.5 percent of the outstanding principal balance of any guaranteed debenture for which the development company does not collect a servicing fee pursuant to paragraph (1)(B).

(c) TEMPORARY FEE ELIMINATION OF LENDER OVERSIGHT FEES.—Until September 30, 2010, and to the extent the cost of such elimination in fees is offset by appropriations, the Administrator shall, in lieu of the fee otherwise applicable under section 5(b)(14) of the Small Business Act (15 U.S.C. 634(b)(14)), collect no fee.

(d) TECHNICAL CORRECTION.—Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended by redesignating paragraph (32) relating to an increased veteran participation pilot program, as added by section 208 of the Military Reservist and Veteran Small Business Reauthorization and Opportunity Act of 2008 (Public Law 110–186; 122 Stat. 631), as paragraph (33).

(e) APPLICATION OF FEE ELIMINATIONS.—The Administrator shall eliminate fees under subsections (a), (b), and (c) until the amount provided for such purposes, as applicable, under the headings ''Salaries and Expenses'' and ''Business Loans Program Account'' under the heading ''Small Business Administration'' under this Act are expended.

(f) DEFINITIONS.—In this section—

(1) the terms ''Administration'' and ''Administrator'' mean the Small Business Administration and the Administrator thereof, respectively; and

(2) the term ''small business concern'' has the same meaning as in section 3 of the Small Business Act (15 U.S.C. 632).

SEC. 1402. None of the funds made available under this Act or any other appropriations Act for any fiscal year may be used by the Small Business Administration to implement the rule relating to women-owned small business Federal contract assistance procedures published in the Federal Register on October 1, 2008 (73 Fed. Reg. 56940 et seq.).

CHAPTER 5

DEPARTMENT OF HOMELAND SECURITY

U.S. CUSTOMS AND BORDER PROTECTION

BORDER SECURITY, FENCING, INFRASTRUCTURE, AND TECHNOLOGY

For an additional amount for ''Border Security, Fencing, Infrastructure, and Technology'', $303,000,000, to remain available until expended; of which not less that $215,000,000 shall be for development and deployment of border security technology on the Southwest border; and of which not less than $88,000,000 shall be for procurement and deployment of tactical communications equipment and land mobile radios for the U.S. Border Patrol.

CONSTRUCTION

For an additional amount for ''Construction'', $100,000,000, to remain available until expended, to repair and construct inspection facilities at land border ports of entry.

TRANSPORTATION SECURITY ADMINISTRATION

AVIATION SECURITY

For an additional amount for ''Aviation Security'', $500,000,000, to remain available until expended; of which $300,000,000 shall be for procurement and installation of checked baggage explosives detection systems; and of which $200,000,000 shall be for checkpoint explosives detection equipment: *Provided,* That no later than 90 days after the date of enactment of this Act, the Secretary of Homeland Security shall provide the Committees on Appropriations of the Senate and the House of Representatives a plan for the expenditure of these funds.

COAST GUARD

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For an additional amount for ''Acquisition, Construction, and Improvements'', $1,220,000,000, to remain available until expended; of which $925,000,000 shall be for the acquisition of a new polar icebreaker or for necessary expenses related to the service life extension of existing Coast Guard polar icebreakers; of which $150,000,000 shall be for the National Security Cutter program; and of which $145,000,000 shall be for shore facilities and aids to navigation facilities: *Provided,* That no later than 90 days after the date of enactment of this Act, the Secretary of Homeland Security shall provide the Committees on Appropriations of the Senate and the House of Representatives a plan for the expenditure of these funds.

ALTERATION OF BRIDGES

For an additional amount for alteration or removal of obstructive bridges, as authorized by section 6 of the Truman-Hobbs Act (33 U.S.C. 516), $90,000,000, to remain available until expended: *Provided,* That no later than 90 days after the date of enactment of this Act, the Secretary of Homeland Security shall provide the Committees on Appropriations of the Senate and the House of Representatives an expenditure plan detailing how the Coast Guard will allocate the additional funds appropriated under this heading for bridges ready to proceed to construction.

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

Notwithstanding section 417(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, the amount of any such loan issued pursuant to this section for major disasters occurring in calendar year 2008 may exceed $5,000,000, and may be equal to not more than 50 percent of the annual operating budget of the local government in any case in which that local government has suffered a loss of 25 percent or more in tax revenues.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For an additional amount for ''Acquisition, Construction, Improvements, and Related Expenses'', $9,000,000, to remain available until expended, for security upgrades to the Federal Law Enforcement Training Center's border-related training facilities.

CHAPTER 6

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

CONSTRUCTION

For an additional amount for ''Construction'', $147,000,000, to remain available until September 30, 2010, of which $114,000,000 shall be for deferred maintenance projects, including the repair of earthen dams; of which $15,000,000 shall be for restoration and rehabilitation of trails; and of which $18,000,000 shall be for remediation of abandoned mine sites: *Provided*, That the Secretary shall utilize to the maximum extent possible the Public Land Corps, the Youth Conservation Corps, and other related partnerships with State, local, tribal or nonprofit groups that serve young adults.

UNITED STATES FISH AND WILDLIFE SERVICE

CONSTRUCTION

For an additional amount for ''Construction'', $88,000,000, to remain available until September 30, 2010, for refuge and hatchery deferred maintenance projects: *Provided*, That the Secretary shall utilize to the maximum extent possible the Public Land Corps, the Youth Conservation Corps, and other related partnerships with State, local, tribal or nonprofit groups that serve young adults.

NATIONAL PARK SERVICE

CONSTRUCTION

For an additional amount for ''Construction'', $105,000,000, to remain available until September 30, 2010, of which $45,000,000 shall be for deferred maintenance projects; of which $45,000,000 shall be for restoration and rehabilitation of trails; and of which $15,000,000 shall be for remediation of abandoned mine sites: *Provided*, That the Secretary shall utilize to the maximum extent possible the Public Land Corps, the Youth Conservation Corps, and other related partnerships with State, local, tribal or nonprofit groups that serve young adults.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for ''Surveys, Investigations, and Research'', $84,000,000, to remain available until September 30, 2010, for repair and restoration of facilities and other deferred maintenance projects.

BUREAU OF INDIAN AFFAIRS

CONSTRUCTION

For an additional amount for ''Construction'', $200,000,000, to remain available until September 30, 2010, for repair and restoration of bureau-operated facilities and other deferred maintenance projects.

ENVIRONMENTAL PROTECTION AGENCY

STATE AND TRIBAL ASSISTANCE GRANTS

For an additional amount for ''State and Tribal Assistance Grants'', $2,500,000,000, to remain available until expended, of which $1,750,000,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act, as amended; and of which $750,000,000 shall be for making capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act, as amended: *Provided*, That none of these funds shall be subject to State matching requirements: *Provided further*, That of the amount made available for the Clean Water State Revolving Fund, not to exceed 1.5 percent may be set aside for grants to tribes pursuant to section 518(c) of the Federal Water Pollution Water Control Act.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

CAPITAL IMPROVEMENT AND MAINTENANCE

For an additional amount for ''Capital Improvement and Maintenance'', $425,000,000, to remain available until September 30, 2010, for deferred maintenance projects, which may include remediation of abandoned mine sites: *Provided*, That the Secretary shall utilize to the maximum extent possible the Public Land Corps, the Youth Conservation Corps, and other related partnerships with State, local, tribal or nonprofit groups that serve young adults.

SMITHSONIAN INSTITUTION

FACILITIES CAPITAL

For an additional amount for ''Facilities Capital'', $93,500,000, to remain available until September 30, 2010, for deferred maintenance projects.

GENERAL PROVISION—THIS CHAPTER

SEC. 1601. Notwithstanding any other provision of law, including section 152 of division A of H.R. 2638 (110th Congress), the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009, the terms and conditions contained in section 433 of division F of Public Law 110–161 shall remain in effect for the fiscal year ending September 30, 2009.

CHAPTER 7

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

For an additional amount for ''Training and Employment Services'' under the Employment and Training Administration, $600,000,000, for youth activities and dislocated worker activities authorized by the Workforce Investment Act of 1998 (''WIA''): *Provided*, That $300,000,000 shall be for youth activities and available through June 30, 2009: *Provided further*, That $300,000,000 shall be for dislocated worker employment and training activities and available for the period July 1, 2008 through June 30, 2009: *Provided further*, That no portion of funds available under this heading in this Act shall be reserved to carry out section 127(b)(1)(A), section 128(a), or section 133(a) of the WIA: *Provided further*, That the work readiness performance indicator described in section 136(b)(2)(A)(ii)(I) of the WIA shall be the only measure of performance used to assess the effectiveness of the youth activities, and that the performance indicators in section 136(b)(2)(A)(i) of the WIA shall be the measures of performance used to assess the effectiveness of the dislocated worker activities funded with such funds: *Provided further*, That, notwithstanding any other provision of law, additional funds for youth activities provided by this Act shall be allotted as if the total amount of funding available for youth activities in program year 2008 is less than $1,000,000,000.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

For an additional amount for ''Disease Control, Research, and Training'', $46,000,000, of which $20,000,000 shall be to continue and expand investigations to determine the root causes of disease clusters, including but not limited to polycythemia vera clusters; of which $21,000,000 shall be for the prevention of and response to medical errors including research, education and outreach activities; and of which $5,000,000 shall be for responding to outbreaks of communicable diseases related to the re-use of syringes in outpatient clinics, including reimbursement of local health departments for testing and genetic sequencing of persons potentially exposed.

NATIONAL INSTITUTES OF HEALTH

OFFICE OF THE DIRECTOR

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Office of the Director'', $1,000,000,000, which shall be transferred to the Institutes and Centers of the National Institutes of Health and to the Common Fund established under section 402A(c)(1) of the Public Health Service Act in proportion to the appropriations otherwise made to such Institutes, Centers, and Common Fund for fiscal year 2008: *Provided*, That funds shall be used to support additional scientific research and be available for the same purposes as the appropriation or fund to which transferred: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the National Institutes of Health: *Provided further*, That none of these funds may be transferred to ''National Institutes of Health—Buildings and Facilities'', the Center for Scientific Review, the Center for Information Technology, the Clinical Center, the Global Fund for HIV/AIDS, Tuberculosis and Malaria, or the Office of the Director (except for the transfer to the Common Fund).

ADMINISTRATION FOR CHILDREN AND FAMILIES

CHILDREN AND FAMILIES SERVICES PROGRAMS

For an additional amount for ''Children and Families Services Programs'' for carrying out activities under sections 674 through 679 of the Community Services Block Grant Act, $200,000,000, of which no part shall be subject to paragraph (3) of section 674(b) of such Act.

ADMINISTRATION ON AGING

AGING SERVICES PROGRAMS

For an additional amount for ''Aging Services Programs'', $60,000,000, of which $40,750,000 shall be for Congregate Nutrition Services and $19,250,000 shall be for Home-Delivered Nutrition Services.

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the ''Public Health and Social Services Emergency Fund'' to support activities related to countering potential biological, nuclear, radiological and chemical threats to civilian populations, and for other public health emergencies, $542,000,000: *Provided*, That $473,000,000 is for advanced research and development of medical countermeasures and ancillary products: *Provided further*, That $50,000,000 is available to support the delivery of medical countermeasures, of which up to $20,000,000 may be made available to the United States Postal Service to support such delivery.

For an additional amount for the ''Public Health and Social Services Emergency Fund'' to prepare for and respond to an influenza pandemic, $363,000,000, for activities including the development and purchase of vaccine, antivirals, necessary medical supplies, diagnostics, and other surveillance tools: *Provided*, That products purchased with these funds may, at the discretion of the Secretary, be deposited in the Strategic National Stockpile: *Provided further*, That

notwithstanding section 496(b) of the Public Health Service Act, funds may be used for the construction or renovation of privately owned facilities for the production of pandemic influenza vaccines and other biologics, where the Secretary finds such a contract necessary to secure sufficient supplies of such vaccines or biologics: *Provided further*, That funds appropriated herein may be transferred to other appropriation accounts of the Department of Health and Human Services, as determined by the Secretary to be appropriate, to be used for the purposes specified in this sentence.

DEPARTMENT OF EDUCATION

For carrying out section 1702 of this Act, $2,500,000,000, which shall be available for obligation from July 1, 2008 through September 30, 2009.

SCHOOL IMPROVEMENT PROGRAMS

For an additional amount for ''School Improvement Programs'', $36,000,000, for carrying out activities authorized by subtitle B of title VII of the McKinney-Vento Homeless Assistance Act: *Provided*, That the Secretary shall make such funds available on a competitive basis to local educational agencies that demonstrate a high need for such assistance.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1701. REPORT ON THE IMPACT OF PAST AND FUTURE MINIMUM WAGE INCREASES. (a) IN GENERAL.—Section 8104 of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28; 121 Stat. 189) is amended to read as follows:

''SEC. 8104. REPORT ON THE IMPACT OF PAST AND FUTURE MINIMUM WAGE INCREASES.

''(a) STUDY.—Beginning on the date that is 60 days after the date of enactment of this Act, and every year thereafter until the minimum wage in the respective territory is $7.25 per hour, the Government Accountability Office shall conduct a study to—

''(1) assess the impact of the minimum wage increases that occurred in American Samoa and the Commonwealth of the Northern Mariana Islands in 2007 and 2008, as required under Public Law 110–28, on the rates of employment and the living standards of workers, with full consideration of the other factors that impact rates of employment and the living standards of workers such as inflation in the cost of food, energy, and other commodities; and

''(2) estimate the impact of any further wage increases on rates of employment and the living standards of workers in American Samoa and the Commonwealth of the Northern Mariana Islands, with full consideration of the other factors that may impact the rates of employment and the living standards of workers, including assessing how the profitability of major private sector firms may be impacted by wage increases in comparison to other factors such as energy costs and the value of tax benefits.

''(b) REPORT.—No earlier than March 15, 2009, and not later than April 15, 2009, the Government Accountability Office shall transmit its first report to Congress concerning the findings of the study required under subsection (a). The Government Accountability Office shall transmit any subsequent reports to Congress concerning the findings of a study required by subsection (a) between March 15 and April 15 of each year.

''(c) ECONOMIC INFORMATION.—To provide sufficient economic data for the conduct of the study under subsection (a)—

''(1) the Department of Labor shall include and separately report on American Samoa and the Commonwealth of the Northern Mariana Islands in its household surveys and establishment surveys;

''(2) the Bureau of Economic Analysis of the Department of Commerce shall include and separately report on American Samoa and the Commonwealth of the Northern Mariana Islands in its gross domestic product data; and

''(3) the Bureau of the Census of the Department of Commerce shall include and separately report on American Samoa and the Commonwealth of the Northern Mariana Islands in its population estimates and demographic profiles from the American Community Survey,

with the same regularity and to the same extent as the Department or each Bureau collects and reports such data for the 50 States. In the event that the inclusion of American Samoa and the Commonwealth of the Northern Mariana Islands in such surveys and data compilations requires time to structure and implement, the Department of Labor, the Bureau of Economic Analysis, and the Bureau of the Census (as the case may be) shall in the interim annually report the best available data that can feasibly be secured with respect to such territories. Such interim reports shall describe the steps the Department or the respective Bureau will take to improve future data collection in the territories to achieve comparability with the data collected in the United States. The Department of Labor, the Bureau of Economic Analysis, and the Bureau of the Census, together with the Department of the Interior, shall coordinate their efforts to achieve such improvements.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of enactment of this Act.

SEC. 1702. GRANTS FOR SCHOOL RENOVATION. (a) ALLOCATION OF FUNDS.—

(1) RESERVATION.—From the funds appropriated to carry out this section for a fiscal year, the Secretary shall reserve 1 percent to provide assistance under this section to the outlying areas and for payments to the Secretary of the Interior to provide assistance consistent with this section to schools funded by the Bureau of Indian Education. Funds reserved under this subsection shall be distributed by the Secretary among the outlying areas and the Secretary of the Interior on the basis of their relative need, as determined by the Secretary, in accordance with the purposes of this section.

(2) ALLOCATION TO STATE EDUCATIONAL AGENCIES.—After making the reservation described in paragraph (1), from the remainder of the appropriated funds described in paragraph (1), the Secretary shall allocate to each State educational agency serving a State an amount that bears the same relation to the remainder for the fiscal year as the amount the State received under part A of title I of such Act for fiscal year 2008 bears to the amount all States received under such part for fiscal year 2008, except that no such State educational agency shall receive less than 0.5 percent of the amount allocated under this paragraph.

(b) WITHIN-STATE ALLOCATIONS.—

(1) ADMINISTRATIVE COSTS.—

(A) STATE EDUCATIONAL AGENCY ADMINISTRATION.—Except as provided in subparagraph (C), each State educational agency may reserve not more than 1 percent of its allocation under subsection (a)(2) or $1,000,000, whichever is less, for the purpose of administering the distribution of grants under this subsection.

(B) REQUIRED USES.—The State educational agency shall use a portion of the reserved funds to establish or support a State-level database of public school facility inventory, condition, design, and utilization.

(C) STATE ENTITY ADMINISTRATION.—If the State educational agency transfers funds to a State entity described in paragraph (2)(A), the State educational agency shall transfer to such entity 0.75 of the amount reserved under this paragraph for the purpose of administering the distribution of grants under this subsection.

(2) RESERVATION FOR COMPETITIVE SCHOOL REPAIR AND RENOVATION GRANTS TO LOCAL EDUCATIONAL AGENCIES.—

(A) IN GENERAL.—Subject to the reservation under paragraph (1), of the funds allocated to a State educational agency under subsection (a)(2), the State educational agency shall distribute 100 percent of such funds to local educational agencies or, if such State educational agency is not responsible for the financing of education facilities, the State educational agency shall transfer such funds to the State entity responsible for the financing of education facilities (referred to in this section as the ''State entity'') for distribution by such entity to local educational agencies in accordance with this paragraph, to be used, consistent with subsection (c), for school repair and renovation.

(B) COMPETITIVE GRANTS TO LOCAL EDUCATIONAL AGENCIES.—The State educational agency or State entity shall carry out a program awarding grants, on a competitive basis, to local educational agencies for the purpose described in subparagraph (A). Of the total amount available for distribution to local educational agencies under this paragraph, the State educational agency or State entity, shall, in carrying out the grant competition—

(i) award to high-need local educational agencies, in the aggregate, at least an amount which bears the same relationship to such total amount as the aggregate amount such high-need local educational agencies received under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) for fiscal year 2008 bears to the aggregate amount received for such fiscal year under such part by all local educational agencies in the State;

(ii) award to rural local educational agencies in the State, in the aggregate, at least an amount which bears the same relationship to such total amount as the aggregate amount such rural local educational agencies received under such part for fiscal year 2008 bears to the aggregate amount received for such fiscal year under such part by all local educational agencies in the State; and

(iii) award the remaining funds to local educational agencies not receiving an award under clause (i) or (ii), including high-need local educational agencies and rural local educational agencies that did not receive such an award.

(C) CRITERIA FOR AWARDING GRANTS.—In awarding competitive grants under this paragraph, a State educational agency or State entity shall take into account the following criteria:

(i) PERCENTAGE OF POOR CHILDREN.—The percentage of poor children 5 to 17 years of age, inclusive, in a local educational agency.

(ii) NEED FOR SCHOOL REPAIR AND RENOVATION.—The need of a local educational agency for school repair and renovation, as demonstrated by the condition of the public school facilities of the local educational agency.

(iii) FISCAL CAPACITY.—The fiscal capacity of a local educational agency to meet the needs of the local educational agency for repair and renovation of public school facilities without assistance under this section, including the ability of the local educational agency to raise funds through the use of local bonding capacity and otherwise.

(iv) CHARTER SCHOOL ACCESS TO FUNDING.—In the case of a local educational agency that proposes to fund a repair or renovation project for a charter school, the extent to

which the school has access to funding for the project through the financing methods available to other public schools or local educational agencies in the State.

(v) LIKELIHOOD OF MAINTAINING THE FACILITY.—The likelihood that the local educational agency will maintain, in good condition, any facility whose repair or renovation is assisted under this section.

(D) MATCHING REQUIREMENT.—

(i) IN GENERAL.—A State educational agency or State entity shall require local educational agencies to match funds awarded under this subsection.

(ii) MATCH AMOUNT.—The amount of a match described in clause (i) may be established by using a sliding scale that takes into account the relative poverty of the population served by the local educational agency.

(c) RULES APPLICABLE TO SCHOOL REPAIR AND RENOVATION.—With respect to funds made available under this section that are used for school repair and renovation, the following rules shall apply:

(1) PERMISSIBLE USES OF FUNDS.—School repair and renovation shall be limited to 1 or more of the following:

(A) EMERGENCY REPAIRS OR RENOVATIONS.—Emergency repairs or renovations to public school facilities only to ensure the health and safety of students and staff, including—

(i) repairing, replacing, or installing roofs, windows, doors, electrical wiring, plumbing systems, or sewage systems;

(ii) repairing, replacing, or installing heating, ventilation, or air conditioning systems (including insulation); and

(iii) bringing public schools into compliance with fire and safety codes.

(B) MODIFICATIONS FOR COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990.—School facilities modifications necessary to render public school facilities accessible in order to comply with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(C) MODIFICATIONS FOR COMPLIANCE WITH SECTION 504 OF THE REHABILITATION ACT OF 1973.—School facilities modifications necessary to render public school facilities accessible in order to comply with section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

(D) ASBESTOS ABATEMENT OR REMOVAL.—Asbestos abatement or removal from public school facilities.

(E) CHARTER SCHOOL BUILDING INFRASTRUCTURE.—Renovation and repair needs related to the building infrastructure of a charter school.

(2) IMPERMISSIBLE USES OF FUNDS.—No funds received under this section may be used for—

(A) payment of maintenance costs in connection with any projects constructed in whole or part with Federal funds provided under this section;

(B) the construction of new facilities; or

(C) stadiums or other facilities primarily used for athletic contests or exhibitions or other events for which admission is charged to the general public.

(3) SUPPLEMENT, NOT SUPPLANT.—Excluding the uses described in subparagraphs (B) and (C) of paragraph (1), a local educational agency shall use Federal funds subject to this subsection only to supplement the amount of funds that would, in the absence of such Federal funds, be made available from non-Federal sources for school repair and renovation.

(d) QUALIFIED BIDDERS; COMPETITION.—Each local educational agency that receives funds under this section shall ensure that, if the local educational agency carries out repair or renovation through a contract, any such contract process ensures the maximum number of qualified bidders, including small, minority, and women-owned businesses, through full and open competition.

(e) REPORTING.—

(1) LOCAL REPORTING.—Each local educational agency receiving funds made available under subsection (a)(2) shall submit a report to the State educational agency, at such time as the State educational agency may require, describing the use of such funds for school repair and renovation.

(2) STATE REPORTING.—Each State educational agency receiving funds made available under subsection (a)(2) shall submit to the Secretary, not later than December 31, 2010, a report on the use of funds received under subsection (a)(2) and made available to local educational agencies for school repair and renovation.

(f) REALLOCATION.—If a State educational agency does not apply for an allocation of funds under subsection (a)(2) for a fiscal year, or does not use its entire allocation for such fiscal year, then the Secretary may reallocate the amount of the State educational agency's allocation (or the remainder thereof, as the case may be) for such fiscal year to the remaining State educational agencies in accordance with subsection (a)(2).

(g) DEFINITIONS.—For purposes of this section:

(1) CHARTER SCHOOL.—The term ''charter school'' has the meaning given the term in section 5210 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7221i).

(2) HIGH-NEED LOCAL EDUCATIONAL AGENCY.—The term ''high-need local educational agency'' has the meaning given the term in section 2102(3)(A) of such Act (20 U.S.C. 6602(3)(A)).

(3) LOCAL EDUCATIONAL AGENCY; SECRETARY; STATE EDUCATIONAL AGENCY.—The terms ''local educational agency'', ''Secretary'', and ''State educational agency'' have the meanings given the terms in section 9101 of such Act (20 U.S.C. 7801).

(4) OUTLYING AREA.—The term ''outlying area'' has the meaning given the term in section 1121(c) of such Act (20 U.S.C. 6331(c)).

(5) POOR CHILDREN.—The term ''poor children'' refers to children 5 to 17 years of age, inclusive, who are from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved for the most recent fiscal year for which data satisfactory to the Secretary are available.

(6) RURAL LOCAL EDUCATIONAL AGENCY.—The term ''rural local educational agency'' means a local educational agency that the State determines is located in a rural area using objective data and a commonly employed definition of the term ''rural''.

(7) STATE.—The term ''State'' means each of the several states of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

SEC. 1703. RESTORATION OF ACCESS TO NOMINAL DRUG PRICING FOR CERTAIN CLINICS AND HEALTH CENTERS. (a) IN GENERAL.—Section 1927(c)(1)(D) of the Social Security Act (42 U.S.C. §1396r-8(c)(1)(D)), as added by section 6001(d)(2) of the Deficit Reduction Act of 2005 (Public Law 109–171), is amended—

(1) in clause (i)—

(A) by redesignating subclause (IV) as subclause (VI); and

(B) by inserting after subclause (III) the following:

''(IV) An entity that—

''(aa) is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Act or is State-owned or operated; and

''(bb) would be a covered entity described in section 340(B)(a)(4) of the Public Health Service Act insofar as the entity provides the same type of services to the same type of populations as a covered entity described in such section provides, but does not receive funding under a provision of law referred to in such section.

''(V) A public or nonprofit entity, or an entity based at an institution of higher learning whose primary purpose is to provide health care services to students of that institution, that provides a service or services described under section 1001(a) of the Public Health Service Act.''; and

(2) by adding at the end the following new clause:

''(iv) RULE OF CONSTRUCTION.—Nothing in this subparagraph shall be construed to alter any existing statutory or regulatory prohibition on services with respect to an entity described in subclause (IV) or (V) of clause (i), including the prohibition set forth in section 1008 of the Public Health Service Act.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the amendment made by section 6001(d)(2) of the Deficit Reduction Act of 2005.

CHAPTER 8

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for ''Military Construction, Navy and Marine Corps'', $75,000,000, to remain available until expended, for the planning, design, and construction of child development centers: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and construction not otherwise authorized by law: *Provided further*, That within 30 days of enactment of this Act, the Secretary of the Navy shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this heading.

FAMILY HOUSING CONSTRUCTION, ARMY

For an additional amount for ''Family Housing Construction, Army'', $50,000,000, to remain available until expended, for military family housing construction and improvements: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and construction not otherwise authorized by law: *Provided further*, That within 30 days of enactment of this Act, the Secretary of the Army shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this heading.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

For an additional amount for ''Family Housing Construction, Air Force'', $125,000,000, to remain available until expended, for military family housing construction and improvements: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and construction not otherwise authorized by law: *Provided further*, That within 30 days of enactment of this Act, the Secretary of the Air Force shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this heading.

GENERAL PROVISION—THIS CHAPTER

SEC. 1801. PAYMENTS TO ELIGIBLE PERSONS WHO SERVED IN THE UNITED STATES ARMY FORCES IN THE FAR EAST DURING WORLD WAR II. (a) FINDINGS.—Congress makes the following findings:

(1) The Philippine islands became a United States possession in 1898 when they were ceded from Spain following the Spanish-American War.

(2) During World War II, Filipinos served in a variety of units, some of which came under the direct control of the United States Armed Forces.

(3) The regular Philippine Scouts, the new Philippine Scouts, the Guerilla Services, and more than 100,000 members of the Philippine Commonwealth Army were called into the service of the United States Armed Forces of the Far East on July 26, 1941, by an executive order of President Franklin D. Roosevelt.

(4) Even after hostilities had ceased, wartime service of the new Philippine Scouts continued as a matter of law until the end of 1946, and the force gradually disbanded and was disestablished in 1950.

(5) Filipino veterans who were granted benefits prior to the enactment of the so-called Rescissions Acts of 1946 (Public Laws 79–301 and 79–391) currently receive full benefits under laws administered by the Secretary of Veterans Affairs, but under section 107 of title 38, United States Code, the service of certain other Filipino veterans is deemed not to be active service for purposes of such laws.

(6) These other Filipino veterans only receive certain benefits under title 38, United States Code, and, depending on where they legally reside, are paid such benefit amounts at reduced rates.

(7) The benefits such veterans receive include service-connected compensation benefits paid under chapter 11 of title 38, United States Code, dependency indemnity compensation survivor benefits paid under chapter 13 of title 38, United States Code, and burial benefits under chapters 23 and 24 of title 38, United States Code, and such benefits are paid to beneficiaries at the rate of $0.50 per dollar authorized, unless they lawfully reside in the United States.

(8) Dependents' educational assistance under chapter 35 of title 38, United States Code, is also payable for the dependents of such veterans at the rate of $0.50 per dollar authorized, regardless of the veterans' residency.

(b) COMPENSATION FUND.—

(1) IN GENERAL.—There is in the general fund of the Treasury a fund to be known as the ''Filipino Veterans Equity Compensation Fund'' (in this section referred to as the ''compensation fund'').

(2) AVAILABILITY OF FUNDS.—Subject to the availability of appropriations for such purpose, amounts in the compensation fund shall be available to the Secretary of Veterans Affairs without fiscal year limitation to make payments to eligible persons in accordance with this section.

(c) PAYMENTS.—

(1) IN GENERAL.—During the one-year period beginning on the date of the enactment of this Act, the Secretary shall make a payment to an eligible person who, during such period, submits to the Secretary an application containing such information and assurances as the Secretary may require.

(2) PAYMENT TO SURVIVING SPOUSE.—If an eligible person dies during the period described in paragraph (1) before payment is made to the eligible person under this section, the payment otherwise to be made to the eligible person under this section shall be made instead to the surviving spouse of the eligible person.

(d) ELIGIBLE PERSONS.—An eligible person is any person who served—

(1) before July 1, 1946, in the organized military forces of the Government of the Commonwealth of the Philippines, while such forces were in the service of the Armed Forces of the United States pursuant to the military order of the President dated July 26, 1941, including among such military forces organized guerrilla forces under commanders appointed, designated, or subsequently recognized by the Commander in Chief, Southwest Pacific Area, or other competent authority in the Army of the United States; or

(2) in the Philippine Scouts under section 14 of the Armed Forces Voluntary Recruitment Act of 1945 (59 Stat. 538).

(e) PAYMENT AMOUNTS.—Each payment under this section shall be—

(1) in the case of an eligible person who is not a citizen of the United States, in the amount of $9,000; and

(2) in the case of an eligible person who is a citizen of the United States, in the amount of $15,000.

(f) LIMITATION.—The Secretary may not make more than one payment under this section for each person described in subsection (d).

(g) CLARIFICATION OF TREATMENT OF PAYMENTS UNDER CERTAIN LAWS.—Amounts paid to a person under this section—

(1) shall be treated for purposes of the internal revenue laws of the United States as damages for human suffering; and

(2) shall not be included in income or resources for purposes of determining—

(A) eligibility of an individual to receive benefits described in section 3803(c)(2)(C) of title 31, United States Code, or the amount of such benefits; or

(B) eligibility of an individual to receive benefits under title II or VIII of the Social Security Act, or the amount of such benefits.

(h) RELEASE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the acceptance by an eligible person of a payment under this section shall be final, and shall constitute a complete release of any claim against the United States by reason of any service described in subsection (d).

(2) PAYMENT OF PREVIOUSLY AWARDED BENEFITS.—Nothing in this section shall prohibit a person from receiving any benefit to which the person is entitled based on a claim for which benefits are awarded before the date of the enactment of this Act, including on a claim for medical care and nursing care benefits, burial benefits, and any other benefits to which the person is entitled by law.

(i) RECOGNITION OF SERVICE.—The service of a person as described in subsection (d) is hereby recognized as active military service in the Armed Forces for purposes of, and to the extent provided in, this section.

(j) REPORTS.—The Secretary shall include, in documents submitted to Congress by the Secretary in support of the President's budget for each fiscal year in which payments are made from the compensation fund under this section, detailed information on the operation of the compensation fund, including the number of applicants, the number of eligible persons receiving benefits, the amounts paid out of the compensation fund, and the administration of the compensation fund.

(k) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall prescribe regulations to carry out this section.

(l) AUTHORIZATION OF APPROPRIATION.—There is authorized to be appropriated to the compensation fund $198,000,000, to remain available until expended, to make payments under this section.

CHAPTER 9

DEPARTMENT OF TRANSPORTATION

FEDERAL AVIATION ADMINISTRATION

SUPPLEMENTAL DISCRETIONARY GRANTS FOR AIRPORT INVESTMENT

For an additional amount for capital expenditures authorized under section 47102(3) of title 49, United States Code, $500,000,000: *Provided*, That the Secretary of Transportation shall distribute funds provided under this heading as discretionary grants to airports that demonstrate to his or her satisfaction their ability to obligate these funds within 180 days of the date of such distribution and shall serve to supplement and not supplant planned expenditures from airport-generated revenues or from other State and local sources on such activities: *Provided further*, That no funds provided under this heading shall be used for activities not identified on an airport layout plan: *Provided further*, That the Federal share payable of the costs for which a grant is made under this heading shall be 100 percent: *Provided further*, That the amount made available under this heading shall not be subject to any limitation on obligations for the Grants-in-Aid for Airports program set forth in any Act: *Provided further*, That projects conducted using funds provided under this heading must comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code.

FEDERAL HIGHWAY ADMINISTRATION

SUPPLEMENTAL GRANTS TO STATES FOR FEDERAL-AID HIGHWAY INVESTMENT

For an additional amount for restoration, repair, construction and other activities eligible under paragraph (b) of section 133 of title 23, United States Code, $10,000,000,000: *Provided*, That the Secretary of Transportation shall transfer $2,000,000 to the Inspector General of the Department of Transportation for costs associated with audits and investigations of projects and activities carried out with funds made available to the Department of Transportation in this Act: *Provided further*, That after making such transfer, the remaining funds provided under this heading shall be apportioned to States using the formula set forth in section 104(b)(3) of such title: *Provided further*, That funding provided under this heading shall be in addition to any and all funds provided for fiscal years 2008 and 2009 in any other Act for ''Federal-aid Highways'' and shall not affect the distribution of funds provided for ''Federal-aid Highways'' in any other Act: *Provided further*, That the Secretary of Transportation shall institute measures to ensure that funds provided under this heading shall be obligated within 180 days of the date of their apportionment: *Provided further*, That 180 days following the date of such apportionment, the Secretary shall withdraw and redistribute any unobligated funds utilizing whatever method he or she deems appropriate to ensure that all funds provided under this heading shall be obligated promptly: *Provided further*, That the Federal share payable on account of any project or activity carried out with funds made available under this heading shall be 100 percent of the total cost thereof: *Provided further*, That the amount made available under this heading shall not be subject to any limitation on obligations for Federal-aid highways or highway safety construction programs set forth in any Act: *Provided further*, That projects conducted using funds provided under this heading must comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code: *Provided further*, That for the purposes of the definition of States for this paragraph, sections 101(a)(32) of title 23, United States Code, shall apply.

SUPPLEMENTAL GRANTS TO STATES FOR FERRY TRANSPORTATION INVESTMENT

For an additional amount for capital expenditures eligible under section 147 of title 23, United States Code, $60,000,000: *Provided*, That the Secretary of Transportation shall distribute funds provided under this heading as discretionary grants to States, with the

highest priority given to those projects that demonstrate to his or her satisfaction their ability to obligate these funds within 180 days of the date of such distribution: *Provided further*, That the Federal share payable of the costs for which a grant is made under this heading shall be 100 percent: *Provided further*, That the amount made available under this heading shall not be subject to any limitation on obligations for the Federal-aid highways or highway safety construction programs set forth in any Act: *Provided further*, That projects conducted using funds provided under this heading must comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code.

FEDERAL RAILROAD ADMINISTRATION

SUPPLEMENTAL GRANTS TO STATES FOR INTERCITY PASSENGER RAIL SERVICE

For an additional amount for grants to States to pay for the cost of projects described in paragraph (2)(A) and (2)(B) of section 24401 and subsection (b) of section 24105 of title 49, United States Code, $100,000,000: *Provided*, That to be eligible for assistance under this paragraph, the specific project must be on the Statewide Transportation Improvement Plan at the time of the application to qualify: *Provided further*, That the Secretary of Transportation shall give priority to projects that demonstrate an ability to obligate funds within 180 days of the date of enactment of this Act and to projects that improve the safety and reliability of intercity passenger trains: *Provided further*, That the Federal share payable of the costs for which a grant is made under this heading shall be 100 percent: *Provided further*, That projects conducted using funds provided under this heading must comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code.

SUPPLEMENTAL CAPITAL GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

For an additional amount for the immediate investment in capital projects necessary to maintain and improve national intercity passenger rail service, $400,000,000: *Provided*, That funds made available under this heading shall be allocated directly to the corporation for the purpose of immediate investment in capital projects including the rehabilitation of rolling stock for the purpose of expanding passenger rail capacity: *Provided further*, that the Board of Directors shall take measures to ensure that funds provided under this heading shall be obligated within 180 days of the enactment of this Act and shall serve to supplement and not supplant planned expenditures for such activities from other Federal, State, local and corporate sources: *Provided further*, That said Board of Directors shall certify to the House and Senate Committees on Appropriations in writing their compliance with the preceding proviso: *Provided further*, That not more than 50 percent of the funds provided under this heading may be used for capital projects along the Northeast Corridor.

FEDERAL TRANSIT ADMINISTRATION

SUPPLEMENTAL DISCRETIONARY GRANTS FOR PUBLIC TRANSIT INVESTMENT

For an additional amount for capital expenditures authorized under section 5302(a)(1) of title 49, United States Code, $2,500,000,000: *Provided*, That the Secretary of Transportation shall apportion funds provided under this heading based on the formula set forth in subsections (a) through (c) of section 5336 of title 49, United States Code: *Provided further*, That the Secretary shall take such measures necessary to ensure that the minimum amount of funding distributed under this heading to any individual transit authority shall not be less than $100,000: *Provided further*, That the Secretary of Transportation shall institute measures to ensure that funds provided under this heading shall be obligated within 180 days of the date of their apportionment: *Provided further*, That 180 days following the date of such apportionment, the Secretary shall withdraw and redistribute any unobligated funds utilizing whatever method he or she deems appropriate to ensure that all funds provided under this paragraph shall be obligated promptly: *Provided further*, That the Secretary of Transportation shall make such funds available to pay for operating expenses to the extent that a transit authority demonstrates to his or her satisfaction that such funds are necessary to continue current services or expand such services to meet increased ridership: *Provided further*, That the Federal share of the costs for which a grant is made under this heading shall be 100 percent: *Provided further*, That the amount made available under this heading shall not be subject to any limitation on obligations for transit programs set forth in any Act: *Provided further*, That the funds appropriated under this heading shall be subject to section 5333(a) of title 49, United States Code but shall not be comingled with funds available under the Formula and Bus Grants account.

MARITIME ADMINISTRATION

SUPPLEMENTAL GRANTS FOR ASSISTANCE TO SMALL SHIPYARDS

For an additional amount to make grants to qualified shipyards as authorized under section 3506 of Public Law 109–163 or section 54101 of title 46, United States Code, $60,000,000: *Provided*, That the Secretary of Transportation shall institute measures to ensure that funds provided under this heading shall be obligated within 180 days of the date of their distribution.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SUPPLEMENTAL GRANTS TO PUBLIC HOUSING AGENCIES FOR CAPITAL NEEDS

For an additional amount for discretionary grants to public housing agencies for capital expenditures permitted under section 9(d)(1) of the United States Housing Act of 1937, as amended, $700,000,000: *Provided*, That in allocating discretionary grants under this paragraph, the Secretary of Housing and Urban Development shall give priority consideration to housing agencies that have projects that are ready-to-go, as well as projects resulting in the rehabilitation of vacant rental units or improved energy efficiency: *Provided further*, That the Secretary may also give priority to projects that require additional capital to complete development transactions stalled by changes in the low-income housing tax credit and housing bond markets: *Provided further*, That the Secretary shall not provide any additional priority to any housing agency that is under the receivership of the Department and no housing agency shall receive more than 5 percent of the total amount provided: *Provided further*, That notwithstanding any other provision of law, the Secretary shall institute measures to ensure that funds provided under this paragraph shall be obligated within 180 days of the date of enactment of this Act and shall serve to supplement and not supplant expenditures from other Federal, State, or local sources: *Provided further*, That in administering funds provided in this paragraph, the Secretary may waive any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding that such waiver is required to facilitate the timely use of such funds.

SUPPLEMENTAL GRANTS TO PUBLIC HOUSING AGENCIES FOR EXTRAORDINARY ENERGY COSTS

For an additional amount for discretionary grants to public housing agencies for operating expenses permitted under section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)), $200,000,000: *Provided*, That funding provided under this heading shall be used to cover extraordinary energy costs: *Provided further*, That to be eligible for such grants, public housing agencies must demonstrate to the satisfaction of the Secretary a significant increase in energy costs associated with operating and maintaining public housing: *Provided further*, That notwithstanding any other provision of law, the Secretary shall institute measures to ensure that funds provided under this paragraph shall be allocated to those public housing agencies most in need of such assistance and that such funds shall be obligated within 180 days of the date of enactment of this Act: *Provided further*, That in administering funds provided in this paragraph, the Secretary may waive any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds (except for requirements related to fair housing, nondiscrimination, labor standards and the environment), upon a finding that such a waiver is required to facilitate the timely use of such funds.

HOUSING ASSISTANCE FOR TENANTS DISPLACED BY FORECLOSURE

For an additional amount to provide relocation and temporary housing assistance to individuals and families that rent dwelling units that have been foreclosed upon, or are in default and where foreclosure is imminent, $575,000,000: *Provided*, That the Secretary of Housing and Urban Development shall establish a formula to allocate amounts made available under this heading to States and units of general local government (as such terms are defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302)): *Provided further*, That in developing the formula, the Secretary shall consider areas with the greatest need based on the number and percentage of rental properties in default or delinquency and the greatest number and percentage of rental properties in foreclosure: *Provided further*, That grantees shall demonstrate their ability to coordinate with local Continuums of Care and their ability to serve tenants who are least likely to obtain stable, affordable housing upon eviction, including families with children: *Provided further*, That funding made available under this heading may be used for temporary rental assistance, first and last month's rent, security deposit, case management services, or other appropriate services necessary to assist eligible individuals or families in finding safe and affordable permanent housing: *Provided further*, That the Secretary shall provide notice of the availability of funding provided under this heading within 60 days of the enactment of this Act.

FEDERAL HOUSING ADMINISTRATION

INFORMATION TECHNOLOGY

For an additional amount to maintain, modernize and improve technology systems and infrastructure for the Federal Housing Administration, $36,093,000: *Provided*, That these funds shall serve to supplement and not supplant planned expenditures for the Federal Housing Administration for information technology maintenance and development funding provided through the Departmental Working Capital Fund.

SALARIES AND EXPENSES

For an additional amount for salaries and expenses for the Federal Housing Administration, $15,000,000: *Provided*, That of the

total amount provided under this paragraph, not less than $13,000,000 shall be made available under the heading ''Housing Personnel Compensation and Benefits'' and up to $2,000,000 shall be made available under the heading ''Management and Administration, Administration, Operations and Management'': *Provided further*, That with funding provided under this paragraph, the Federal Housing Administration Commissioner is hereby authorized to take such actions and perform such functions as necessary regarding the hiring of personnel for performing functions of the Federal Housing Administration within the Office of Housing.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1901. Section 5309(g)(4)(A) of title 49, United States Code, is amended by striking ''or an amount equivalent to the last 3 fiscal years of funding allocated under subsections (m)(1)(A) and (m)(2)(A)(ii)'' and inserting ''or the sum of the funds available for the next three fiscal years beyond the current fiscal year, assuming an annual growth of the program of 10 percent''.

SEC. 1902. No funds provided in this Act or any other Act may be used by the Secretary of Transportation to take any action regarding airline operations at any United States commercial airport that involves:

(1) auction, sale, lease, or the imposition of any charge or fee, by the Secretary or the Federal Aviation Administrator, for rights, authorization or permission by them to conduct flight operations at, or in the navigable airspace of, any such airport;

(2) implementing or facilitating any such auction, sale or lease, or the imposition of any such charge or fee by the Secretary or the Administrator initiated prior to enactment of this Act; or

(3) the withdrawal or involuntary transfer by the Secretary or Administrator of rights, authorizations or permissions to operate at, or in the navigable airspace of, any such airport for the purpose of the auction, sale or lease of such rights, authorizations or permissions, or the imposition by the Secretary or Administrator of any charge or fee for such rights, authorization or permission.

SEC. 1903. (a) SURVEY.—Not later than 60 days after the date of enactment of this Act, the Secretary of Commerce shall conduct a survey to estimate, for any area for which the President declared a major disaster (as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)) during 2008, the total economic output lost, Federal assistance provided, and economic revitalization funds needed to recover from the major disaster. The Secretary of Commerce shall provide information obtained from the survey under this paragraph to the Governors of affected States and the Secretary of Housing and Urban Development.

(b) FUNDS.—The Secretary of Housing and Urban Development shall use information provided under subsection (a) in allocating funds provided under the heading ''Community Planning and Development, Community Development Fund'' in Public Law 110–329.

TITLE II—NUTRITION PROGRAMS FOR ECONOMIC STIMULUS

SEC. 2001. NUTRITION PROGRAMS FOR ECONOMIC STIMULUS.

(a) MAXIMUM BENEFIT INCREASE.—

(1) IN GENERAL.—Beginning with the first month that begins not less than 25 days after the date of enactment of this Act, the Secretary of Agriculture (referred to in this section as the ''Secretary'') shall increase the cost of the thrifty food plan for purposes of section 8(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2017(a)) by 10 percent.

(2) TERMINATION OF EFFECTIVENESS.—The authority provided by this subsection terminates and has no effect, effective on October 1, 2009.

(b) REQUIREMENTS FOR THE SECRETARY.—In carrying out this section, the Secretary shall—

(1) consider the benefit increase described in subsection (a) to be a ''mass change'';

(2) require a simple process for States to notify households of the increase in benefits;

(3) consider section 16(c)(3)(A) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(c)(3)(A)) to apply to any errors in the implementation of this section, without regard to the 120-day limit described in that section; and

(4) disregard the value of benefits resulting from this section in any required calculations or estimates of benefits if the Secretary determines it is necessary to ensure efficient administration of programs authorized under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) or other Federal programs.

(c) STATE ADMINISTRATIVE EXPENSES.—

(1) IN GENERAL.—For the costs of State administrative expenses associated with carrying out this section, the Secretary shall make available $50,000,000, to remain available until expended.

(2) AVAILABILITY OF FUNDS.—Funds described in paragraph (1) shall be made available to State agencies based on each State's share of households that participate in the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.).

(3) CONSOLIDATED BLOCK GRANTS FOR PUERTO RICO AND AMERICAN SAMOA.—For fiscal year 2009, the Secretary shall increase by 10 percent the amount available for nutrition assistance for eligible households under the consolidated block grants for Puerto Rico and American Samoa under section 19 of the Food and Nutrition Act of 2008 (7 U.S.C. 2028).

(d) FUNDING.—There are hereby appropriated to the Secretary such sums as are necessary to carry out this section, to remain available until September 30, 2010.

TITLE III—STATE FISCAL RELIEF

SEC. 3001. TEMPORARY INCREASE OF MEDICAID FMAP.

(a) PERMITTING MAINTENANCE OF FISCAL YEAR 2008 FMAP FOR FISCAL YEAR 2009.—Subject to subsections (d), (e), and (f), if the FMAP determined without regard to this section for a State for fiscal year 2009 is less than the FMAP as so determined for fiscal year 2008, the FMAP for the State for fiscal year 2008 shall be substituted for the State's FMAP for fiscal year 2009, before the application of this section.

(b) PERMITTING MAINTENANCE OF FISCAL YEAR 2009 FMAP FOR FIRST QUARTER OF FISCAL YEAR 2010.—Subject to subsections (d), (e), and (f), if the FMAP determined without regard to this section for a State for fiscal year 2010 is less than the FMAP as so determined for fiscal year 2009, the FMAP for the State for fiscal year 2009 shall be substituted for the State's FMAP for the first calendar quarter of fiscal year 2010, before the application of this section.

(c) GENERAL 8 PERCENTAGE POINTS INCREASE FOR FISCAL YEAR 2009 AND FIRST CALENDAR QUARTER OF FISCAL YEAR 2010.—

(1) IN GENERAL.—Subject to subsections (d), (e), and (f), for each State for fiscal year 2009 and for the first calendar quarter of fiscal year 2010, the FMAP (taking into account the application of subsections (a) and (b)) shall be increased by 8.0 percentage points.

(2) INCREASE IN CAP ON MEDICAID PAYMENTS TO TERRITORIES.—Subject to subsections (e) and (f), with respect to fiscal year 2009 and the first calendar quarter of fiscal year 2010, the amounts otherwise determined for Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, and American Samoa under subsections (f) and (g) of section 1108 of the Social Security Act (42 U.S.C. 1308) shall each be increased by an amount equal to 8.0 percent of such amounts.

(d) SCOPE OF APPLICATION.—The increases in the FMAP for a State under this section shall apply only for purposes of title XIX of the Social Security Act and shall not apply with respect to—

(1) disproportionate share hospital payments described in section 1923 of such Act (42 U.S.C. 1396r–4);

(2) payments under title IV or XXI of such Act (42 U.S.C. 601 et seq. and 1397aa et seq.); or

(3) any payments under title XIX of such Act that are based on the enhanced FMAP described in section 2105(b) of such Act (42 U.S.C. 1397ee(b)).

(e) STATE INELIGIBILITY.—

(1) IN GENERAL.—Subject to paragraph (2), a State is not eligible for an increase in its FMAP under subsection (c)(1), or an increase in a cap amount under subsection (c)(2), if the eligibility under its State plan under title XIX of the Social Security Act (including any waiver under such title or under section 1115 of such Act (42 U.S.C. 1315)) is more restrictive than the eligibility under such plan (or waiver) as in effect on September 1, 2008.

(2) STATE REINSTATEMENT OF ELIGIBILITY PERMITTED.—A State that has restricted eligibility under its State plan under title XIX of the Social Security Act (including any waiver under such title or under section 1115 of such Act (42 U.S.C. 1315)) after September 1, 2008, is no longer ineligible under paragraph (1) beginning with the first calendar quarter in which the State has reinstated eligibility that is no more restrictive than the eligibility under such plan (or waiver) as in effect on September 1, 2008.

(3) RULE OF CONSTRUCTION.—Nothing in paragraph (1) or (2) shall be construed as affecting a State's flexibility with respect to benefits offered under the State Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) (including any waiver under such title or under section 1115 of such Act (42 U.S.C. 1315)).

(f) REQUIREMENTS.—

(1) IN GENERAL.—A State may not use the additional Federal funds paid to the State as a result of this section for purposes of increasing any reserve or rainy day fund maintained by the State.

(2) ADDITIONAL REQUIREMENT FOR CERTAIN STATES.—In the case of a State that requires political subdivisions within the State to contribute toward the non-Federal share of expenditures under the State Medicaid plan required under section 1902(a)(2) of the Social Security Act (42 U.S.C. 1396a(a)(2)), the State is not eligible for an increase in its FMAP under subsection (c)(1), or an increase in a cap amount under subsection (c)(2), if it requires that such political subdivisions pay a greater percentage of the non-Federal share of such expenditures for fiscal year 2009, and the first calendar quarter of fiscal year 2010, than the percentage that would have been required by the State under such plan on September 1, 2008, prior to application of this section.

(g) DEFINITIONS.—In this section:

(1) FMAP.—The term ''FMAP'' means the Federal medical assistance percentage, as defined in section 1905(b) of the Social Security Act (42 U.S.C. 1396d(b)).

(2) STATE.—The term ''State'' has the meaning given such term for purposes of title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

(h) REPEAL.—Effective as of January 1, 2010, this section is repealed.

SEC. 3002. TEMPORARY REINSTATEMENT OF AUTHORITY TO PROVIDE FEDERAL MATCHING PAYMENTS FOR STATE SPENDING OF CHILD SUPPORT INCENTIVE PAYMENTS.

During the period that begins on October 1, 2008, and ends on September 30, 2010, section 455(a)(1) of the Social Security Act (42 U.S.C. 655(a)(1)) shall be applied without regard to the amendment made by section 7309(a) of the Deficit Reduction Act of 2005 (Public Law 109–171, 120 Stat. 147).

TITLE IV—UNEMPLOYMENT INSURANCE

SEC. 4001. EMERGENCY UNEMPLOYMENT COMPENSATION PROGRAM.

(a) ADDITIONAL FIRST-TIER BENEFITS.—Section 4002(b)(1) of the Supplemental Appropriations Act, 2008 (26 U.S.C. 3304 note) is amended—

(1) in subparagraph (A), by striking ''50'' and inserting ''80''; and

(2) in subparagraph (B), by striking ''13'' and inserting ''20''.

(b) SECOND-TIER BENEFITS.—Section 4002 of the Supplemental Appropriations Act, 2008 (26 U.S.C. 3304 note) is amended by adding at the end the following:

''(c) SPECIAL RULE.—

''(1) IN GENERAL.—If, at the time that the amount established in an individual's account under subsection (b)(1) is exhausted or at any time thereafter, such individual's State is in an extended benefit period (as determined under paragraph (2)), such account shall be augmented by an amount equal to the lesser of—

''(A) 50 percent of the total amount of regular compensation (including dependents' allowances) payable to the individual during the individual's benefit year under the State law, or

''(B) 13 times the individual's average weekly benefit amount (as determined under subsection (b)(2)) for the benefit year.

''(2) EXTENDED BENEFIT PERIOD.—For purposes of paragraph (1), a State shall be considered to be in an extended benefit period, as of any given time, if—

''(A) such a period is then in effect for such State under the Federal-State Extended Unemployment Compensation Act of 1970;

''(B) such a period would then be in effect for such State under such Act if section 203(d) of such Act—

''(i) were applied by substituting '4' for '5' each place it appears; and

''(ii) did not include the requirement under paragraph (1)(A) thereof; or

''(C) such a period would then be in effect for such State under such Act if—

''(i) section 203(f) of such Act were applied to such State (regardless of whether the State by law had provided for such application); and

''(ii) such section 203(f)—

''(I) were applied by substituting '6.0' for '6.5' in paragraph (1)(A)(i) thereof; and

''(II) did not include the requirement under paragraph (1)(A)(ii) thereof.

''(3) LIMITATION.—The account of an individual may be augmented not more than once under this subsection.''.

(c) PHASEOUT PROVISIONS.—Section 4007(b) of the Supplemental Appropriations Act, 2008 (26 U.S.C. 3304 note) is amended—

(1) in paragraph (1), by striking ''paragraph (2),'' and inserting ''paragraphs (2) and (3),''; and

(2) by striking paragraph (2) and inserting the following:

''(2) NO AUGMENTATION AFTER MARCH 31, 2009.—If the amount established in an individual's account under subsection (b)(1) is exhausted after March 31, 2009, then section 4002(c) shall not apply and such account shall not be augmented under such section, regardless of whether such individual's State is in an extended benefit period (as determined under paragraph (2) of such section).

''(3) TERMINATION.—No compensation under this title shall be payable for any week beginning after November 27, 2009.''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply as if included in the enactment of the Supplemental Appropriations Act, 2008, subject to paragraph (2).

(2) ADDITIONAL BENEFITS.—In applying the amendments made by subsections (a) and (b), any additional emergency unemployment compensation made payable by such amendments (which would not otherwise have been payable if such amendments had not been enacted) shall be payable only with respect to any week of unemployment beginning on or after the date of the enactment of this Act.

SEC. 4002. TEMPORARY FEDERAL MATCHING FOR THE FIRST WEEK OF EXTENDED BENEFITS FOR STATES WITH NO WAITING WEEK.

With respect to weeks of unemployment beginning after the date of enactment of this Act and ending on or before December 8, 2009, subparagraph (B) of section 204(a)(2) of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note) shall not apply.

TITLE V—NATIONAL PARK CENTENNIAL FUND ACT

SECTION 5001. SHORT TITLE.

This Act may be cited as the ''National Park Centennial Fund Act''.

SEC. 5002. DEFINITIONS.

In this Act:

(1) FUND.—The term ''Fund'' means the National Park Centennial Fund established under section 5003.

(2) IN-KIND.—The term ''in-kind'' means the fair market value of non-cash contributions provided by non-Federal partners, which may be in the form of real property, equipment, supplies and other expendable property, as well as other goods and services.

(3) PROJECT OR PROGRAM.—The term ''Project or program'' means a National Park Centennial Project or Program funded pursuant to this Act.

(4) PROPOSAL.—The term ''Proposal'' means a National Park Centennial Proposal submitted pursuant to section 5004.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 5003. NATIONAL PARK CENTENNIAL FUND.

(a) IN GENERAL.—There is established in the Treasury of the United States a fund which shall be known as the ''National Park Centennial Fund''. In each of fiscal years 2009 through 2018, the Secretary of the Treasury shall deposit into the Fund the following:

(1) Cash donations received by the National Park Service in support of projects or programs authorized by this Act.

(2) From the General Fund, an amount equivalent to—

(A) the amount described in paragraph (1), excluding donations pledged through a letter of credit in a prior year; and

(B) the amount of donations pledged through letters of credit in the same fiscal year.

(b) LIMITATION ON AMOUNT.—The total amount of deposits from the General Fund under subsection (a)(2) shall not exceed, in the aggregate, $1,000,000,000 for fiscal years 2009 through 2018.

SEC. 5004. PROGRAM ALLOCATION.

(a) IN GENERAL.—Each fiscal year, the President's annual budget submission for the Department of the Interior shall include a list of proposals which shall be known as National Park Centennial Proposals. The Secretary shall establish a standard process for developing the list that shall encourage input from both the public and a broad cross-section of employees at every level of the National Park Service. The list—

(1) shall include proposals having an aggregate cost to the Federal Government equal to the unobligated amount in the Fund;

(2) shall include only proposals consistent with National Park Service policies and adopted park planning documents;

(3) may include proposals for any area within the national park system (as that term is defined in section 2 of the Act of August 8, 1953 (16 U.S.C. 1c)), clusters of areas within such system, a region or regions of such system, or such system in its entirety;

(4) shall cumulatively represent a nationwide array of proposals that is diverse geographically, in size, scope, magnitude, theme, and variety under the initiatives described in subsection (b);

(5) shall give priority to proposals demonstrating long-term viability beyond receipts from the Fund;

(6) shall include only proposals meeting the requirements of one or more of the initiatives set forth in subsection (b);

(7) should contain proposals under each of the initiatives set forth in subsection (b); and

(8) shall give priority to proposals with committed, non-Federal support but shall also include proposals funded entirely by the Fund.

(b) NATIONAL PARK CENTENNIAL INITIATIVES.—The requirements referred to in subsection (a)(6) are as follows:

(1) EDUCATION IN PARKS CENTENNIAL INITIATIVE.—Proposals for the ''Education in Parks Centennial Initiative'' shall meet the following requirements:

(A) Priority shall be given to proposals designed to increase National Park-based educational opportunities for elementary, secondary and college students particularly those from populations historically under represented among visitors to the National Park System.

(B) Priority shall be given to proposals designed to bring students into the National Park System in person.

(C) Proposals should include strategies for encouraging young people to become lifelong advocates for National Parks.

(D) Proposals shall be developed in consultation with the leadership of educational and youth organizations expected to participate in the proposed initiative.

(2) DIVERSITY IN PARKS CENTENNIAL INITIATIVE.—

(A) STUDY.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report detailing a service-wide strategy for increasing diversity among National Park Service employees at all levels and visitors to the National Park System.

(B) PROPOSALS.—Proposals for the ''Diversity in Parks Centennial Initiative'' shall meet the following requirements:

(i) Each proposal shall be based on recommendations contained in the report required in subparagraph (A).

(ii) Each proposal shall be designed to make National Park Service employees, visitors to the National Park System, or both, reflect the diversity of the population of the United States.

(3) SUPPORTING PARK PROFESSIONALS CENTENNIAL INITIATIVE.—Proposals for the ''Supporting Park Professionals Centennial Initiative'' shall meet the following requirements:

(A) Taken as a whole, proposals shall provide specific opportunities for National Park Service employees, at all levels, to participate in professional career development.

(B) Proposals may include National Park Service-designed, internal professional development programs.

(C) Proposals may also be designed to facilitate participation in external professional development programs or established courses of study by National Park Service employees.

(4) ENVIRONMENTAL LEADERSHIP CENTENNIAL INITIATIVE.—Proposals for the ''Environmental Leadership Centennial Initiative'' shall meet the following requirements:

(A) Each proposal shall be designed to do one or more of the following:

(i) Reduce harmful emissions.

(ii) Conserve energy or water resources.

(iii) Reduce solid waste production within the National Park System.

(B) Each proposal shall include strategies for educating the public regarding Environmental Leadership projects and their results.

(C) Priority shall be given to proposals with the potential to spread technological advances to other Federal agencies or to the private sector.

(5) NATURAL RESOURCE PROTECTION CENTENNIAL INITIATIVE.—Proposals for the ''Natural Resource Protection Centennial Initiative'' shall meet the following requirements:

(A) Each proposal shall be designed to restore or conserve native ecosystems within the National Park System.

(B) Priority shall be given to proposals designed to control invasive species.

(C) Each proposal shall be based on the best available scientific information.

(6) CULTURAL RESOURCE PROTECTION CENTENNIAL INITIATIVE.—Proposals for the ''Cultural Resource Protection Centennial Initiative'' shall—

(A) either—

(i) increase the National Park Service's knowledge of cultural resources located within the National Park System through means including, but not limited to, surveys, studies, mapping, and documentation of such resources; or

(ii) improve the condition of documented cultural resources within the National Park System;

(B) incorporate the best available scientific information; and

(C) where appropriate, be developed in consultation with Native American tribes, State historic preservation offices, or other organizations with cultural resource preservation expertise.

(7) HEALTH AND FITNESS IN PARKS CENTENNIAL INITIATIVE.—

(A) IN GENERAL.—Proposals for the ''Health and Fitness in Parks Centennial Initiative'' shall fall into one or more of the following four categories:

(i) Proposals designed to repair, rehabilitate, or otherwise improve infrastructure, including trails, that facilitates healthy outdoor activity within the National Park System.

(ii) Proposals designed to expand opportunities for access to the National Park System for visitors with disabilities.

(iii) Proposals to develop and implement management plans (such as climbing plans and trail system plans) for activities designed to increase the health and fitness of visitors to the National Park System.

(iv) Proposals to develop outreach programs and media that provide public information regarding health and fitness opportunities within the National Park System.

(B) MISCELLANEOUS REQUIREMENTS.—All proposals for ''the Health and Fitness in Parks Centennial Initiative'' shall—

(i) be consistent with National Park Service policies and adopted park planning documents; and

(ii) be designed to provide for visitor enjoyment in such a way as to leave the National Park System unimpaired for future generations.

(c) FUNDING.—In each of fiscal years 2009 through 2018, unobligated amounts in the Fund shall be available without further appropriation for projects authorized by this Act, but may not be obligated or expended until 120 days after the annual submission of the list of proposals required under this section to allow for Congressional review.

(d) LIMITATION ON DISTRIBUTION OF FUNDS.—No more than 50 percent of amounts available from the Fund for any fiscal year may be spent on projects that are for the construction of facilities that cost in excess of $5,000,000.

SEC. 5005. PARTNERSHIPS.

(a) DONATIONS.—The Secretary may actively encourage and facilitate participation in proposals from non-Federal and philanthropic partners, and may accept donations, both monetary and in-kind for any Project or Program pursuant to section 1 of the Act of June 5, 1920 (16 U.S.C. 6), and other authorities to accept donations existing on the date of enactment of this Act.

(b) TERMS AND CONDITIONS.—To the extent that private organizations or individuals are to participate in or contribute to any Project or Program, the terms and conditions of that participation or contribution as well as all actions of employees of the National Park Service, shall be governed by National Park Service Directors Order #21, ''Donations and Fundraising'', as in force on the date of the enactment of this Act.

SEC. 5006. MAINTENANCE OF EFFORT.

Amounts made available from the Fund shall supplement rather than replace annual expenditures by the National Park Service, including authorized expenditures from the Land and Water Conservation Fund and the National Park Service Line Item Construction Program. The National Park Service shall maintain adequate, permanent staffing levels and permanent staff shall not be replaced with nonpermanent employees hired to carry out this Act or Projects or Programs carried out with funds provided under this Act.

SEC. 5007. REPORTS.

For each fiscal year beginning in fiscal year 2009, the Secretary shall submit to Congress a report that includes the following:

(1) A detailed accounting of all expenditures from the Fund divided by categories of proposals under section 4(b), including a detailed accounting of any private contributions, either in funds or in kind, to any Project or Program.

(2) A cumulative summary of the results of the National Park Centennial program including recommendations for revisions to the program.

(3) A statement of whether the National Park Service has maintained adequate, permanent staffing levels and what nonpermanent and permanent staff have been hired to carry out this Act or Projects or Programs carried out with funds provided under this Act.

TITLE VI—AUTOMOTIVE INDUSTRY ASSISTANCE

SECTION 6001. DIRECT LOAN PROVISIONS.

(a) IN GENERAL.—The Emergency Economic Stabilization Act of 2008 (division A of Public Law 110–343) is amended by adding at the end the following:

''TITLE IV—DIRECT BRIDGE LOAN PROVISIONS

''SEC. 401. FINDINGS.

''Congress finds that extraordinary and exigent circumstances have prevented the automobile industry from securing essential credit and liquidity from other sources and that the failure of the automobile industry to obtain such credit and liquidity will have a systemic adverse effect on the economy.

''SEC. 402. PURPOSES.

''The purposes of this title are—

''(1) to clarify that authority and facilities are available to be used immediately by the Secretary to restore liquidity and stability to the automobile industry in the United States;

''(2) to ensure that such authority and such facilities are used in a manner that—

''(A) stimulates manufacturing and sales of automobiles produced by automobile manufacturers in the United States;

''(B) enhances the ability and the capacity of the domestic automobile industry to pursue the timely and aggressive production of energy-efficient advanced technology vehicles;

''(C) preserves and promotes the jobs of 355,000 workers in the United States directly employed by the automobile industry and an additional 4,500,000 workers in the United States employed in related industries; and

''(D) safeguards the ability of the domestic automobile industry to provide retirement and health care benefits for 1,000,000 retirees and their spouses and dependents; and

''(3) to reaffirm the purposes of section 2, which include providing the Secretary with broad authority to restore liquidity and stability to financial institutions, including automobile finance companies.

''SEC. 403. EMERGENCY DIRECT LOAN PROGRAM.

''(a) IN GENERAL.—The Secretary shall make loans in an aggregate amount equal to $25,000,000,000, to any automobile manufacturer or component supplier that has—

''(1) submitted an application for a loan under this title that includes a statement of need for Government funding under this title to prevent a systemic adverse effect on the United States economy;

''(2) operated 2 or more manufacturing facilities for the purposes of producing automobiles or automobile components in the United States throughout the 25-year period ending on the date of enactment of this title; and

''(3) operations in the United States the failure of which would have a systemic adverse effect on the overall United States economy, as determined by the Secretary.

''(b) ALLOCATION.—In allocating loan amounts under this title, the Secretary shall prioritize applications based on the magnitude of the impact of the manufacturing operations of the applicant in the United States on the overall economy of the United States and other segments of the automobile industry, including the impact on levels of employment, domestic manufacturing of automobiles and automobile components, and automobile dealerships.

''(c) PLAN FOR LONG-TERM FINANCIAL VIABILITY.—At the time of application for a loan under this title, an automobile manufacturer or component supplier shall submit to the Secretary a detailed plan on how the Government funds requested will be utilized to ensure the long-term financial posture of the company, and how such funds will stimulate automobile production in the United States and improve the capacity of the company to pursue the timely and aggressive production of energy-efficient advanced technology vehicles.

''(d) AUTHORITY TO ISSUE STOCK.—At the discretion of the Secretary, the automobile manufacturer or component supplier may issue preferred stock in lieu of a loan, on analogous terms and conditions as those described for loans under this title.

"SEC. 404. FUNDING FROM THIRD TRANCHE; TREATMENT OF LOAN AMOUNTS.

''The costs incurred by the Federal Government in making loans under this title, including credit subsidy costs and administrative expenses, shall be covered out of the funds made available to the Secretary generally under section 118 and, specifically, not from funds which are described in paragraph (1) or (2) of section 115(a), but with respect to the availability of which the reporting and procedural requirements contained in paragraph (3) of such section and section 115(c) shall not apply.

"SEC. 405. TIMING OF DISBURSEMENTS.

''(a) APPLICATIONS.—On and after the date that is 3 days after the date of enactment of this title, the Secretary shall accept applications for loans under this title.

''(b) DETERMINATION OF ELIGIBILITY.—Not later than 15 days after the date on which the Secretary receives an application for a loan under subsection (a), the Secretary shall make a determination regarding the eligibility of the applicant, based on whether the applicant meets the requirements of section 403(a).

''(c) DISBURSEMENT.—The Secretary shall begin disbursement of the proceeds of a loan under this title to an eligible applicant not later than 7 days after the date on which the Secretary receives a disbursal request from the applicant, upon a determination of the Secretary that the applicant is eligible under subsection (b).

"SEC. 406. TERMS AND CONDITIONS.

''(a) TERM TO MATURITY.—The term to maturity of any loan made under this title shall be 10 years, or such longer period as the Secretary may determine with respect to such loan.

''(b) RATE OF INTEREST.—The annual rate of interest for a loan under this title shall be—

''(1) 5 percent during the 5-year period beginning on the date on which the Secretary disburses the loan; and

''(2) 9 percent after the end of the period described in paragraph (1).

''(c) WARRANTS AND DEBT INSTRUMENTS.—The Secretary may not make a loan under this title unless the Secretary receives from the automobile manufacturer or component supplier a warrant or senior debt instrument made in accordance with the requirements for a warrant or senior debt instrument by a financial institution under section 113(d).

''(d) NO PREPAYMENT PENALTY.—A loan made under this title shall be prepayable without penalty at any time.

''(e) EXECUTIVE COMPENSATION.—

''(1) STANDARDS REQUIRED.—The Secretary shall require any recipient of a loan under this title to meet appropriate standards for executive compensation and corporate governance.

''(2) SPECIFIC REQUIREMENTS.—The standards established under paragraph (1) shall include the following:

''(A) Limits on compensation that exclude incentives for senior executive officers of a recipient of a loan under this title to take unnecessary and excessive risks that threaten the value of such recipient during the period that the loan is outstanding.

''(B) A provision for the recovery by such recipient of any bonus or incentive compensation paid to a senior executive officer based on statements of earnings, gains, or other criteria that are later found to be materially inaccurate.

''(C) A prohibition on such recipient making any golden parachute payment to a senior executive officer during the period that the loan under this title is outstanding.

''(D) A prohibition on such recipient paying or accruing any bonus or incentive compensation during the period that the loan is outstanding to any executive whose annual base compensation exceeds $250,000 (which amount shall be adjusted by the Secretary for inflation).

''(E) A prohibition on any compensation plan that could encourage manipulation of the reported earnings of the recipient to enhance the compensation of any of its employees.

''(3) DEFINITIONS.—For purposes of this subsection, the following definitions shall apply:

''(A) SENIOR EXECUTIVE OFFICER.—The term 'senior executive officer' means an individual who is 1 of the top 5 most highly paid executives of a public company, whose compensation is required to be disclosed pursuant to the Securities Exchange Act of 1934, and any regulations issued thereunder, and non-public company counterparts.

''(B) GOLDEN PARACHUTE PAYMENT.—The term 'golden parachute payment' means any payment to a senior executive officer for departure from a company for any reason.

''(f) PROHIBITION ON PAYMENT OF DIVIDENDS.—No common stock dividends may be paid by any recipient of a loan under this title for the duration of the loan.

''(g) OTHER INTERESTS SUBORDINATED.—Any obligation or liability of a recipient of a loan under this title to any person shall be subordinate to the liability and obligation of the recipient for such loan.

"SEC. 407. OVERSIGHT.

''(a) IN GENERAL.—The provisions of sections 105, 116, 121, and 125 shall apply with respect to any loans made under this title, to the extent possible, in the same manner and to the same extent as such sections apply to transactions made under the authority of title I.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Emergency Economic Stabilization Act of 2008 (division A of Public Law 110–343) is amended—

(A) by inserting after the item relating to section 3 the following new item:

''Sec. 4. References.''

; and

(B) by adding at the end the following:

''TITLE IV—DIRECT BRIDGE LOAN PROVISIONS

''Sec. 401. Findings.
''Sec. 402. Purposes.
''Sec. 403. Emergency direct loan program.
''Sec. 404. Funding from third tranche; treatment of loan amounts.
''Sec. 405. Timing of disbursements.
''Sec. 406. Terms and conditions.
''Sec. 407. Oversight.''

; and

(2) REFERENCES.—The Emergency Economic Stabilization Act of 2008 (division A of Public Law 110–343) is amended by inserting after section 3 the following new section:

"SEC. 4. REFERENCES.

''Any reference—

''(1) in this division to 'this Act' or any subdivision thereof is a reference to this division A or any subdivision thereof;

''(2) in division (B) to 'this Act' or any subdivision thereof is a reference to division B or any subdivision thereof; and

''(3) in division (C) to 'this Act' or any subdivision thereof is a reference to division C or any subdivision thereof.''.

TITLE VII—AUTO SALES TAX DEDUCTIONS

SECTION 7001. ABOVE-THE-LINE DEDUCTION FOR INTEREST ON INDEBTEDNESS WITH RESPECT TO THE PURCHASE OF CERTAIN MOTOR VEHICLES.

(a) IN GENERAL.—Paragraph (2) of section 163(h) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''and'' at the end of subparagraph (E),

(2) by striking the period at the end of subparagraph (F) and inserting '', and'', and

(3) by adding at the end the following new subparagraph:

''(G) any qualified motor vehicle interest (within the meaning of paragraph (5).''.

(b) QUALIFIED MOTOR VEHICLE INTEREST.—Section 163(h) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(5) QUALIFIED MOTOR VEHICLE INTEREST.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'qualified motor vehicle interest' means any interest which is paid or accrued during the taxable year on any indebtedness which—

''(i) is incurred after November 12, 2008, and before January 1, 2010, in acquiring any qualified motor vehicle of the taxpayer, and

''(ii) is secured by such qualified motor vehicle.

Such term also includes any indebtedness secured by such qualified motor vehicle resulting from the refinancing of indebtedness meeting the requirements of the preceding sentence (or this sentence); but only to the extent the amount of the indebtedness resulting from such refinancing does not exceed the amount of the refinanced indebtedness.

''(B) DOLLAR LIMITATION.—The aggregate amount of indebtedness treated as described in subparagraph (A) for any period shall not exceed $49,500 ($24,750 in the case of a separate return by a married individual).

''(C) INCOME LIMITATION.—The amount otherwise treated as interest under subparagraph (A) for any taxable year (after the application of subparagraph (B)) shall be reduced (but not below zero) by the amount which bears the same ratio to the amount which is so treated as—

''(i) the excess (if any) of—

''(I) the taxpayer's modified adjusted gross income for such taxable year, over

''(II) $125,000 ($250,000 in the case of a joint return), bears to

''(ii) $10,000.

For purposes of the preceding sentence, the term 'modified adjusted gross income' means the adjusted gross income of the taxpayer for the taxable year increased by any amount excluded from gross income under section 911, 931, or 933.

''(D) QUALIFIED MOTOR VEHICLE.—The term 'qualified motor vehicle' means a passenger automobile (within the meaning of section 30B(h)(3)) or a light truck (within the meaning of such section)—

''(i) which is acquired for use by the taxpayer and not for resale after November 12, 2008, and before January 1, 2010,

''(ii) the original use of which commences with the taxpayer, and

''(iii) which has a gross vehicle weight rating of not more than 8,500 pounds.''.

(c) DEDUCTION ALLOWED ABOVE-THE-LINE.—Section 62(a) of the Internal Revenue Code of 1986 is amended by inserting after paragraph (21) the following new paragraph:

''(22) QUALIFIED MOTOR VEHICLE INTEREST.—The deduction allowed under section 163 by reason of subsection (h)(2)(G) thereof.''.

(d) REPORTING OF QUALIFIED MOTOR VEHICLE INTEREST.—

(1) IN GENERAL.—Subpart B of part III of subchapter A of chapter 61 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

"SEC. 6050X. RETURNS RELATING TO QUALIFIED MOTOR VEHICLE INTEREST RECEIVED IN TRADE OR BUSINESS FROM INDIVIDUALS.

''(a) QUALIFIED MOTOR VEHICLE INTEREST.—Any person—

''(1) who is engaged in a trade or business, and

''(2) who, in the course of such trade or business, receives from any individual interest aggregating $600 or more for any calendar year on any indebtedness secured by a qualified motor vehicle (as defined in section 163(h)(5)(D)),

shall make the return described in subsection (b) with respect to each individual from whom such interest was received at such time as the Secretary may by regulations prescribe.

''(b) FORM AND MANNER OF RETURNS.—A return is described in this subsection if such return—

''(1) is in such form as the Secretary may prescribe,

''(2) contains—

''(A) the name and address of the individual from whom the interest described in subsection (a)(2) was received,

''(B) the amount of such interest received for the calendar year, and

''(C) such other information as the Secretary may prescribe.

''(c) APPLICATION TO GOVERNMENTAL UNITS.—For purposes of subsection (a)—

''(1) TREATED AS PERSONS.—The term 'person' includes any governmental unit (and any agency or instrumentality thereof).

''(2) SPECIAL RULES.—In the case of a governmental unit or any agency or instrumentality thereof—

''(A) subsection (a) shall be applied without regard to the trade or business requirement contained therein, and

''(B) any return required under subsection (a) shall be made by the officer or employee appropriately designated for the purpose of making such return.

''(d) STATEMENTS TO BE FURNISHED TO INDIVIDUALS WITH RESPECT TO WHOM INFORMATION IS REQUIRED.—Every person required to make a return under subsection (a) shall furnish to each individual whose name is required to be set forth in such return a written statement showing—

''(1) the name, address, and phone number of the information contact of the person required to make such return, and

''(2) the aggregate amount of interest described in subsection (a)(2) received by the person required to make such return from the individual to whom the statement is required to be furnished.

The written statement required under the preceding sentence shall be furnished on or before January 31 of the year following the calendar year for which the return under subsection (a) was required to be made.

''(e) RETURNS WHICH WOULD BE REQUIRED TO BE MADE BY 2 OR MORE PERSONS.—Except to the extent provided in regulations prescribed by the Secretary, in the case of interest received by any person on behalf of another person, only the person first receiving such interest shall be required to make the return under subsection (a).''.

(2) AMENDMENTS RELATING TO PENALTIES.—

(A) Section 6721(e)(2)(A) of such Code is amended by striking ''or 6050L'' and inserting ''6050L, or 6050X''.

(B) Section 6722(c)(1)(A) of such Code is amended by striking ''or 6050L(c)'' and inserting ''6050L(c), or 6050X(d)''.

(C) Subparagraph (B) of section 6724(d)(1) of such Code is amended by redesignating clauses (xvi) through (xxii) as clauses (xvii) through (xxiii), respectively, and by inserting after clause (xii) the following new clause:

''(xvi) section 6050X (relating to returns relating to qualified motor vehicle interest received in trade or business from individuals),''.

(D) Paragraph (2) of section 6724(d) of such Code is amended by striking the period at the end of subparagraph (DD) and inserting '', or'' and by inserting after subparagraph (DD) the following new subparagraph:

''(EE) section 6050X(d) (relating to returns relating to qualified motor vehicle interest received in trade or business from individuals).''.

(3) CLERICAL AMENDMENT.—The table of sections for subpart B of part III of subchapter A of chapter 61 of such Code is amended by inserting after the item relating to section 6050W the following new item:

''Sec. 6050X. Returns relating to qualified motor vehicle interest received in trade or business from individuals.''.

SEC. 7002. ABOVE-THE-LINE DEDUCTION FOR STATE SALES TAX AND EXCISE TAX ON THE PURCHASE OF CERTAIN MOTOR VEHICLES.

(a) IN GENERAL.—Subsection (a) of section 164 of the Internal Revenue Code of 1986 is amended by inserting after paragraph (5) the following new paragraph:

''(6) Qualified motor vehicle taxes.''.

(b) QUALIFIED MOTOR VEHICLE TAXES.—Subsection (b) of section 164 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(6) QUALIFIED MOTOR VEHICLE TAXES.—

''(A) IN GENERAL.—For purposes of this section, the term 'qualified motor vehicle taxes' means any State and local sales or excise tax imposed on the purchase of a qualified motor vehicle (as defined in section 163(h)(5)(D)).

''(B) INCOME LIMITATION.—The amount otherwise taken into account under subparagraph (A) for any taxable year shall be reduced (but not below zero) by the amount which bears the same ratio to the amount which is so treated as—

''(i) the excess (if any) of—

''(I) the taxpayer's modified adjusted gross income for such taxable year, over

''(II) $125,000 ($250,000 in the case of a joint return), bears to

''(ii) $10,000.

For purposes of the preceding sentence, the term 'modified adjusted gross income' means the adjusted gross income of the taxpayer for the taxable year increased by any amount excluded from gross income under section 911, 931, or 933.

''(C) QUALIFIED MOTOR VEHICLE TAXES NOT INCLUDED IN COST OF ACQUIRED PROPERTY.—The last sentence of subsection (a) shall not apply to any qualified motor vehicle taxes.

''(D) COORDINATION WITH GENERAL SALES TAX.—This paragraph shall not apply in the case of a taxpayer who makes an election under paragraph (5) for the taxable year.''.

(c) CONFORMING AMENDMENTS.—Paragraph (5) of section 163(h) of the Internal Revenue Code of 1986, as added by section 1, is amended—

(1) by adding at the end the following new subparagraph:

''(E) EXCLUSION.—If the indebtedness described in subparagraph (A) includes the amounts of any State sales or excise taxes paid or accrued by the taxpayer in connection with the acquisition of a qualified motor vehicle, the aggregate amount of such indebtedness taken into account under such subparagraph shall be reduced, but not below zero, by the amount of any such taxes for which a deduction is allowed under section 164(a) by reason of paragraph (6) thereof.'', and

(2) by inserting '', after the application of subparagraph (E),'' after ''for any period'' in subparagraph (B).

(d) DEDUCTION ALLOWED ABOVE-THE-LINE.—Section 62(a) of the Internal Revenue Code of 1986, as amended by section 1, is amended by inserting after paragraph (22) the following new paragraph:

''(23) QUALIFIED MOTOR VEHICLE TAXES.—The deduction allowed under section 164 by reason of subsection (a)(6) thereof.''.

TITLE VIII

GENERAL PROVISIONS—THIS ACT

EMERGENCY DESIGNATION

SEC. 8001. Each amount in this Act is designated as an emergency requirement and necessary to meet emergency needs pursuant to section 204(a) of S. Con. Res. 21 (110th Congress) and section 301(b)(2) of S. Con. Res. 70 (110th Congress), the concurrent resolutions on the budget for fiscal years 2008 and 2009.

AVAILABILITY

SEC. 8002. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

This Act may be cited as the ''Economic Recovery Act of 2008''.

By Mr. DURBIN:

S. 3690. A bill to help struggling families stay in their homes and to ensure that taxpayers are protected when the Secretary of the Treasury purchases equity shares in financial situations; to the Committee on the Judiciary.

Mr. DURBIN. Just before the Congress paused for the elections, we passed one of the most historic—and contentious—pieces of legislation in my 26 years in Washington. We gave the Treasury Department the authority to spend $700 billion in taxpayer funds to prevent the complete meltdown of the financial system, which in turn would hopefully prevent the overall economy from descending into a deep and painful recession.

I didn't like voting for that bill, but I joined the majority of my colleagues in doing so because not voting for it was even worse. I hope in the end that we were right.

However, there are two areas that I do not believe were adequately addressed in that legislation: helping families save their homes from foreclosure and protecting taxpayers from the misuse of their dollars by the bankers that receive them. Today I am introducing legislation—the Homeowner Assistance and Taxpayer Protection Act—to address both concerns.

For far too long the Bush administration has relied on the voluntary efforts of the mortgage servicers to rework millions of troubled mortgages on a case by case basis. These voluntary efforts have been and still are insufficient. There aren't strong enough incentives for the servicers to pursue work-outs. Servicers aren't equipped to handle the huge volume of mortgages at risk. Far-flung investors who own pieces of many mortgages, and who often refuse to let servicers rework mortgages even in the cases where the servicers would like to help, present legal obstacles. And the mortgage industry has failed to take strong action against foreclosures, even if it is in their own best interests. The $700 billion rescue bill encouraged the administration to take stronger steps to help homeowners, but did not require the Government to do so.

My bill would bring real hope to families who fear that they will lose their

homes, by doing three things. First, it would require Treasury, the Federal Reserve, the FDIC, and FHFA to restructure all loans that meet the criteria established in the Hope for Homeowners program to make the mortgages affordable. That means mortgages these regulators own or in which they have a controlling interest must be restructured if a reworked mortgage can be paid by the homeowner and is viable economically for the creditors. The Emergency Economic Stabilization Act as it is currently written only encourages the regulators to restructure those loans, rather than requiring them to do so.

Second, it would require servicers to restructure all loans that qualify for the Hope for Homeowners program, rather than simply encouraging them to do so as the Housing and Economic Recovery Act is currently written.

And, finally, it would allow bankruptcy judges to modify mortgages on primary residences. As I have argued for months now, this is the single most important thing we can do to spur nationwide systematic mortgage restructurings.

The financial crisis will not ease, and the economy will not begin to recover, until we address the root cause of the crisis: the failed mortgage market. My bill would do just that.

The rescue bill also failed to put in place enough taxpayer protections. Congress meant for banks to use the money provided by the Treasury to lend to qualified borrowers, rather than enriching their shareholders and executives. Recent reports indicating that AIG will lavish more than a half billion dollars on its employees at the same time that it receives an even larger $152 billion taxpayer bailout than originally announced speaks loudly to this problem.

My bill would try to address this concern. The bill would bar banks participating in the Capital Purchase Program authorized by the Emergency Economic Stabilization Act from increasing common share dividends as long as the Government owns preferred shares. It also would require participating banks to reduce the next year's dividends in an amount equal to the compensation paid to the top five executives in excess of $500,000.

The bill would not bar companies receiving assistance from the Treasury from paying their executives, nor would it bar them from paying dividends. But it would ensure that financial institutions think carefully before redirecting taxpayer-injected dollars away from lending for the good of the economy towards compensation for the good of its own executives and shareholders.

The debate on how to help stabilize the financial sector will certainly continue into the 111th Congress, and I intend to continue to fight for homeowners and for the taxpayers so that we get our economy moving again as quickly as we can, and as prudently as we can.

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. 3690

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 ''Homeowner Assistance and Taxpayer Protection Act''.

TITLE I—ASSISTING HOMEOWNERS

SEC. 101. RESTRUCTURING LOANS OWNED BY THE GOVERNMENT.

(a) MORTGAGES ACQUIRED BY THE SECRETARY.—Section 109(a) of the Emergency Economic Stabilization Act of 2008 (division A of Public Law 110–343) is amended by striking ''encourage'' and inserting ''require''.

(b) MORTGAGES HELD BY FEDERAL PROPERTY MANAGERS.—Section 110(b)(1) of the Emergency Economic Stabilization Act of 2008 (division A of Public Law 110–343) is amended by striking ''encourage'' and inserting ''require''.

(c) OBLIGATIONS SECURED BY MORTGAGES HELD BY FEDERAL PROPERTY MANAGERS.—Section 110(c)(1) of the Emergency Economic Stabilization Act of 2008 (division A of Public Law 110–343) is amended by striking ''encourage'' and inserting ''require''.

SEC. 102. REQUIRING LENDERS TO PARTICIPATE IN HOPE FOR HOMEOWNERS PROGRAM WHEN HOMEOWNERS ELECT TO PARTICIPATE.

Section 257(b)(1) of the National Housing Act (12 U.S.C. 1715z-23(b)(1)) is amended by striking ''and existing loan holders'' and inserting '', but required on the part of existing loan holders when homeowners apply,''.

SEC. 103. HELPING FAMILIES SAVE THEIR HOMES IN BANKRUPTCY.

(a) SPECIAL RULES FOR MODIFICATION OF LOANS SECURED BY RESIDENCES.—

(1) IN GENERAL.—Section 1322(b) of title 11, United States Code, is amended—

(A) in paragraph (10), by striking ''and'' at the end;

(B) by redesignating paragraph (11) as paragraph (12); and

(C) by inserting after paragraph (10) the following:

''(11) notwithstanding paragraph (2) and otherwise applicable nonbankruptcy law—

''(A) modify an allowed secured claim secured by the debtor's principal residence, as described in subparagraph (B), if, after deduction from the debtor's current monthly income of the expenses permitted for debtors described in section 1325(b)(3) of this title (other than amounts contractually due to creditors holding such allowed secured claims and additional payments necessary to maintain possession of that residence), the debtor has insufficient remaining income to retain possession of the residence by curing a default and maintaining payments while the case is pending, as provided under paragraph (5); and

''(B) provide for payment of such claim—

''(i) in an amount equal to the amount of the allowed secured claim;

''(ii) for a period that is not longer than 40 years; and

''(iii) at a rate of interest accruing after such date calculated at a fixed annual percentage rate, in an amount equal to the most recently published annual yield on conventional mortgages published by the Board of Governors of the Federal Reserve System, as of the applicable time set forth in the rules of the Board, plus a reasonable premium for risk; and''.

(2) CONFORMING AMENDMENT.—Section 1325(a)(5) of title 11, United States Code, is amended by inserting before ''with respect'' the following: ''except as otherwise provided in section 1322(b)(11) of this title,''.

(b) WAIVER OF COUNSELING REQUIREMENT WHEN HOMES ARE IN FORECLOSURE.—Section 109(h) of title 11, United States Code, is amended by adding at the end the following:

''(5) The requirements of paragraph (1) shall not apply with respect to a debtor who files with the court a certification that a foreclosure sale of the debtor's principal residence has been scheduled.''.

(c) COMBATING EXCESSIVE FEES.—Section 1322(c) of title 11, the United States Code, is amended—

(1) in paragraph (1), by striking ''and'' at the end;

(2) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(3) the plan need not provide for the payment of, and the debtor, the debtor's property, and property of the estate shall not be liable for, any fee, cost, or charge, notwithstanding section 506(b), that arises in connection with a claim secured by the debtor's principal residence if the event that gives rise to such fee, cost, or charge occurs while the case is pending but before the discharge order, except to the extent that—

''(A) notice of such fees, costs, or charges is filed with the court, and served on the debtor and the trustee, before the expiration of the earlier of—

''(i) 1 year after the event that gives rise to such fee, cost, or charge occurs; or

''(ii) 60 days before the closing of the case; and

''(B) such fees, costs, or charges are lawful, reasonable, and provided for in the agreement under which such claim or security interest arose;

''(4) the failure of a party to give notice described in paragraph (3) shall be deemed a waiver of any claim for fees, costs, or charges described in paragraph (3) for all purposes, and any attempt to collect such fees, costs, or charges shall constitute a violation of section 524(a)(2) of this title or, if the violation occurs before the date of discharge, of section 362(a) of this title; and

''(5) a plan may provide for the waiver of any prepayment penalty on a claim secured by the principal residence of the debtor.''.

(d) PROHIBITING CLAIMS ARISING FROM VIOLATIONS OF CONSUMER PROTECTION LAWS.—Section 502(b) of title 11, United States Code, is amended—

(1) in paragraph (8), by striking ''or'' at the end;

(2) in paragraph (9), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(10) such claim includes a request for damages or rescission based on a failure to comply with the Truth in Lending Act (15 U.S.C. 1601 et seq.), or any other provision of applicable State or Federal consumer protection law in force when the failure to comply occurred, notwithstanding a prior entry of a foreclosure judgment.''.

(e) APPLICATION OF AMENDMENTS.—The amendments made to title 11, United States Code, by this section shall apply with respect to cases commenced under that title 11 on or after the date of enactment of this Act, or pending on the date of enactment of this Act.

TITLE II—PROTECTING TAXPAYERS

SEC. 201. BARRING DIVIDEND INCREASES.

Section 113(d) of the Emergency Economic Stabilization Act of 2008 (division A of Public Law 110–343) is amended by adding at the end the following:

''(4) DIVIDENDS.—If the Secretary purchases troubled assets under the authority of this Act, the financial institutions from which

such assets are purchased may not pay dividends in a cumulative amount that is higher in the current or a future fiscal year than the cumulative dividends paid in the fiscal year immediately preceding the sale of the troubled assets until such time as the troubled assets are no longer owned by the Secretary.''.

SEC. 202. REDUCING DIVIDENDS TO PAY FOR EXCESSIVE EXECUTIVE COMPENSATION.

Section 111(b)(2) of the Emergency Economic Stabilization Act of 2008 (Public Law 110–343) is amended—

(1) in subparagraph (B), by striking ''and'' at the end;

(2) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(D) a reduction in dividends paid by the institution in its next fiscal year equal to the executive compensation paid to senior executive officers in excess of $500,000 per officer in the current fiscal year.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 706—TO AUTHORIZE TESTIMONY AND LEGAL REPRESENTATION IN PETER BERGEL V. PACIFIC GAS & ELECTRIC

Mr. REID (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 706

Whereas, in the case of Peter Bergel v. Pacific Gas & Electric, No. 0712–15723, pending in Multnomah County Circuit Court in Portland, Oregon, the defendant has requested testimony from Denise Racanelli, an employee in the office of Senator Gordon Smith;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That Denise Racanelli is authorized to testify in the case of Peter Bergel v. Pacific Gas & Electric, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Denise Racanelli in connection with the testimony authorized in section one of this resolution.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Monday, November 17, 2008, at 2 p.m., in room 215 of the Dirksen Senate Office Building.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Monday, November 17, 2008, at 10 a.m.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Monday, November 17, 2008, at 2:30 p.m.

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

UNITED STATES ARMY COMMEMORATIVE COIN ACT

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5714, which was received from the House.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 5714) to require the Secretary of the Treasury to mint coins in recognition and celebration of the establishment of the United States Army of 1775, to honor the American soldier of both today and yesterday, in wartime and in peace, and to commemorate the traditions, history, and heritage of the United States Army and its role in American society, from the Colonial period to today.

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

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the bill be read three times 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 PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 5714) was ordered to a third reading, was read the third time, and passed.

CHILD SAFE VIEWING ACT

Mr. WHITEHOUSE. Madam President, I ask the Chair to lay before the Senate a message from the House with respect to S. 602.

The PRESIDING OFFICER (Ms. STABENOW) laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 602) entitled ''An Act to develop the next generation of parental control technology'', do pass with the following amendment:

Strike section 2 and redesignate section 3 as section 2.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the Senate concur in the House amendment and the motion to reconsider be laid upon the table, with no intervening action or debate.

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

SENATE LEGAL COUNSEL AUTHORIZATION

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 706, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 706) to authorize testimony and legal representation in Peter Bergel v. Pacific Gas & Electric.

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

Mr. REID. Mr. President, this resolution concerns a request for testimony in a civil action in Multnomah County Court in Portland, OR. In this action, the plaintiff, an anti-war protester, seeks damages for an alleged false arrest in March 2007 in the lobby of a private office building housing Senator SMITH's Portland, OR office. The defendant owner of the building has requested that an employee in the Senator's Portland office provide in connection with upcoming summary judgment proceedings a declaration concerning relevant communications the employee had with building security officers related to the events in question. Senator SMITH would like to cooperate by providing testimony from that employee. This resolution would authorize that employee to testify in connection with this action, with representation by the Senate Legal Counsel.

Mr. WHITEHOUSE. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table en bloc with no intervening action or debate, and any statements be printed in the RECORD.

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

The resolution (S. Res. 706) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 706

Whereas, in the case of Peter Bergel v. Pacific Gas & Electric, No. 0712–15723, pending in Multnomah County Circuit Court in Portland, Oregon, the defendant has requested testimony from Denise Racanelli, an employee in the office of Senator Gordon Smith;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under

the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved that Denise Racanelli is authorized to testify in the case of Peter Bergel v. Pacific Gas & Electric, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Denise Racanelli in connection with the testimony authorized in section one of this resolution.

MEASURES READ THE FIRST TIME—S. 3688, S. 3689, H.R. 6867, AND H.R. 7110

Mr. WHITEHOUSE. Madam President, I understand that there are four bills at the desk and I ask for their first reading en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will read the titles of the bills en bloc.

The legislative clerk read as follows:

A bill (S. 3688) to provide for additional emergency unemployment compensation, to amend the Emergency Economic Stabilization Act of 2008 to authorize loans to automobile manufacturers and component suppliers, and for other purposes.

A bill (S. 3689) making supplemental appropriations for job creation and preservation, infrastructure investment, and economic and energy assistance for the fiscal year ending September 30, 2009, and for other purposes.

A bill (H.R. 6867) to provide for additional emergency unemployment compensation.

A bill (H.R. 7110) making supplemental appropriations for job creation and preservation, infrastructure investment, and economic and energy assistance for the fiscal year ending September 30, 2009, and for other purposes.

Mr. WHITEHOUSE. I now ask for a second reading en bloc and object to my own request en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will receive their second reading on the next legislative day.

APPOINTMENTS

The PRESIDING OFFICER. The Chair announces the following appointment made by the majority leader during the recess of the Senate pursuant to the unanimous consent agreement of October 2, 2008:

Pursuant to provisions of Public Law 110–343, the appointment of Elizabeth Warren, of Massachusetts, as a member of the Congressional Oversight Panel.

The Chair announces the following appointment made by the majority leader of the Senate, after consultation with the Republican leader of the Senate, and the Speaker of the House during the recess of the Senate pursuant to the unanimous consent agreement of October 2, 2008:

Pursuant to provisions of Public Law 110–343, appointment of Damon Silvers, of Maryland, as a member of the Congressional Oversight Panel.

ORDERS FOR WEDNESDAY, NOVEMBER 19, 2008

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9:30 a.m., Wednesday, November 19; 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, and the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each; that following morning business, the Senate resume consideration of the motion to proceed to S. 3297.

I further ask unanimous consent that with respect to the measures read for the first time, they be considered as having been read a second time on Tuesday for the purpose of placing the bills on the calendar with respect to rule XIV.

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

ADJOURNMENT UNTIL WEDNESDAY, NOVEMBER 19, 2008, AT 9:30 A.M.

Mr. WHITEHOUSE. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:03 p.m., adjourned until Wednesday, November 19, 2008, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF THE TREASURY

NEIL M. BAROFSKY, OF NEW YORK, TO BE SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET RELIEF PROGRAM. (NEW POSITION)

DEPARTMENT OF TRANSPORTATION

ROBERT A. DEHAAN, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION, VICE TYLER D. DUVALL.

DEPARTMENT OF STATE

MICHAEL JONATHAN GREEN, OF MARYLAND, TO BE SPECIAL REPRESENTATIVE AND POLICY COORDINATOR FOR BURMA, WITH THE RANK OF AMBASSADOR. (NEW POSITION)

STATE JUSTICE INSTITUTE

STEVEN C. HOLLON, OF OHIO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2010, VICE ROBERT NELSON BALDWIN, TERM EXPIRED.

JOSEPH E. LAMBERT, OF KENTUCKY, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2009, VICE ROBERT A. MILLER, TERM EXPIRED.

GAYLE A. NACHTIGAL, OF OREGON, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2009, VICE SOPHIA H. HALL, TERM EXPIRED.

ARTHUR G. SCOTLAND, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2010, VICE FLORENCE K. MURRAY, TERM EXPIRED.

GERALD W. VANDEWALLE, OF NORTH DAKOTA, TO BE MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2009, VICE ARTHUR A. MCGIVERIN, TERM EXPIRED.

FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF AGRICULTURE FOR PROMOTION WITHIN AND INTO THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER:

ASIF J. CHAUDHRY, OF WASHINGTON

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR:

GARY C. GROVES, OF TEXAS

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR:

ALAN D. HRAPSKY, OF TEXAS

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF STAFF OF THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 50A:

To be vice admiral

REAR ADM. JOHN P. CURRIER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS COMMANDER, PACIFIC AREA OF THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 50:

To be vice admiral

REAR ADM. JODY A. BRECKENRIDGE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD RESERVE UNDER TITLE 10, U.S.C., SECTION 12203(A):

To be captain

KENT P. BAUER
MARK S. MACKEY

PUBLIC HEALTH SERVICE

THE FOLLOWING CANDIDATES FOR PERSONNEL ACTION IN THE REGULAR CORPS OF THE COMMISSIONED CORPS OF THE U. S. PUBLIC HEALTH SERVICE SUBJECT TO QUALIFICATIONS THEREFORE AS PROVIDED BY LAW AND REGULATIONS:

To be medical director

PAUL J. ANDREASON
WANDA D. BARFIELD
CHARLES H. BEYMER
SUSAN BLANK
MICHAEL J. BOQUARD
BRENTON T. BURKHOLDER
JAY C. BUTLER
MICHAEL A. CAROME
MARTIN S. CETRON
SUSAN T. COOKSON
MICHAEL M. ENGELGAU
CAROL FRIEDMAN
RICHARD P. HEDLUND
DALE J. HU
STEPHEN G. KALER
NEWTON E. KENDIG
JEFFREY B. KOPP
ERIC A. MANN
AUBREY K. MILLER
ERIC D. MINTZ
ALLYN K. NAKASHIMA
ELENA H. PAGE
BRENT PENNINGTON
CALMAN P. PRUSSIN
STEVEN G. SCOTT
ROBERT J. SIMONDS
MARK J. TEDESCO
DOUGLAS B. TROUT
JONATHAN T. WEBER
JANE R. ZUCKER

To be senior surgeon

KENNETH L. BROOKS
ERLINDA R. CASUGA-MARQUEZ
AHMED M. ELKASHEF
DOUGLAS H. ESPOSITO
ALICIA M. FRY
ROSEMARIE HIRSCH
STEPHEN P. KACHUR
CHARLES E. LEE
SARAH R. LINDE-FEUCHT
JULIE M. MAGRI
KATHERINE C. PALATIANOS
MARY C. PORVAZNIK
STEPHEN M. RUDD
TARAZ SAMANDARI
JULIA A. SCHILLINGER
MICHAEL G. WILCOX
JASON J. WOO
DARIUS S. YORICHI

To be surgeon

ANTHONY M. DUNNIGAN
MARK R. DYBUL
NANCY W. KNIGHT
DIANNA L. MAHONEY
KELTON H. OLIVER
PRAGNA PATEL
TOBE M. PROPST
JEFFREY D. SCHULDEN
DAVID L. SPRENGER
GREGGORY J. WOITTE
DAVID WONG

To be senior assistant surgeon

DAISY Y. ENG
DANIEL MOLINA

To be dental director

MICHAEL C. ARNOLD
TIMOTHY S. BISHOP
WILLIAM F. CATELLI II
JOHN F. CAUDILL II
JEFFERY R. COMBS
DEAN J. COPPOLA
STEVEN D. FLORER
CARL J. GUSTKE
DANIEL J. HICKEY
JOSEPH G. HOSEK
THOMAS E. JORDAN
MARY G. MURPHY
REBECCA V. NESLUND
JAMES T. OWEN
THOMAS A. REESE
SUZANNE K. SAVILLE

To be senior dental surgeon

ANITA ARNOLD
RONALD C. COX
GLEN A. EISENHUTH
RICHARD L. FIRNHABER
RONALD L. FULLER
STANLEY K. GORDON
CHRISTINE K. HENG
ARLENE M. LESTER
JOHN E. LORINCZ
AARON R. MEANS, SR.
KATHLEEN M. OCONNOR-MORAN
RICHARD D. STRICKLIN
TODD M. TOVAREK

To be dental surgeon

RUBEN S. ACUNA
JOYCE D. BIBERICA
WILLIAM J. ESPOSITO
KATRINA J. LESLIE
ANTHONY L. LIKES
KIMBERLY WOODS MONTOYA
ADRIAN R. PALMER
STELLA YUK KWAN LAU WISNER

To be nurse director

ANA MARIE L. BALINGIT-WINES
EILEEN D. BONNEAU
SHEILA D. CARNES
LAURIE S. IRWIN-PINKLEY
DAVID W. KELLY
DAVID L. KERSCHNER
KATHLEEN M. KOBUS
CAROL L. KONCHAN
MARY M. LEEMHUIS
MICHAEL D. LYMAN
ROBERT W. MAYES
JERILYN ANDERSON MCCLAIN
GENISE Y. NIXON
MONIQUE V. PETROFSKY
GILBERT P. ROSE
CINDY L. WILSON
BEVERLY R. WRIGHT

To be senior nurse officer

VICTORIA L. ANDERSON
LINDA J. BELSITO
SUSAN K. BROWN
MICHAEL P. BRYCE
ANNETTE R. DEBISETTE
JOANNE DERDAK
MARY Y. ELKINS
SUSAN K. FRITZ
BYRON C. GLENN
WANDA W. GONZALEZ
JOAN F. HUNTER
MARY L. KINKADE
COLLEEN O. LEE
JAIME MUNIZ
PRISCILLA J. POWERS
DORIS L. RAYMOND
LETITIA L. RHODES
BONNIE A. SAYLOR
SYLVIA TRENT-ADAMS
JOYCE B. WATSON
DANIEL J. WESKAMP

To be nurse officer

DAWN A. ANDERSON-GARY
ILEANA BARRETO-PETTIT
PATRICIA A. BARRETT
VALENE N. BARTMESS
JASON M. BISCHOFF
MARIE A. CASEY
SUSANNA N. CHOI
BRIAN R. CRONENWETT
DERWENT O. DANIEL
JOHN W. DAVID, JR.
DIANE DOUGLAS
KIMBERLY J. ELENBERG
EILEEN M. FALZINI
DION E. FRANKLUND
BARBARA A. FULLER
SERINA A. HUNTER-THOMAS
JACKIE KENNEDY-SULLIVAN
CAROL S. LINCOLN
LISA A. MARUNYCZ
TAMI L. MCBRIDE
ALBERTA M. MCCABE
SHERRY L. MCREYNOLDS
ANITA E. POLLARD
LETITIA B. ROBINSON
THOMAS M. SCHEIDEL
JEFFERY R. SEMAK
JUDITH B. SUTCLIFFE
VICTORIA F. VACHON

To be senior assistant nurse officer

MARK D. CRUZ
KAORI DONOHUE
BRYAN H. EMERY
COLEEN R. FETT
JOSHUA E. HARDIN
JAMES E. THOMAS
WILLIAM T. WILLIAMSON
ANH P. WRIGHT

To be assistant nurse officer

JAMES K. LYONS
ADRIANA M. MEYER-ALONZO

To be engineer director

DAVID M. APANIAN
BRYAN L. FISCHER
MICHAEL G. GRESSEL
ROBERT B. MCVICKER
ROBERT J. REISS
KEITH P. SHORTALL
MARK A. STAFFORD
GEORGE W. STYER
MAURICE C. WEST

To be senior engineer officer

STEVEN L. BOSILJEVAC
GARY S. EARNEST
CHERYL FAIRFIELD ESTILL
CHUCRI A. KARDOUS
JAMES H. LUDINGTON
JAMIE D. NATOUR
STEVEN E. RAYNOR
DANIEL C. TOMPKINS
DENNIS J. WAGNER
MARJORIE E. WALLACE
MARY M. WEBER
RICHARD S. WERMERS

To be engineer officer

STEVEN J. DYKSTRA
KEITH E. FOY
DAVID E. HARVEY
KELLY G. HUDSON
DAVID E. JOHNSON
MATHEW J. MARTINSON
JENNIFER E. MOSSER
BRENT D. ROHLFS
CHAD A. SNELL

To be senior assistant engineer officer

SEAN T. BUSH
JENNIFER LYNN CAPAROSO
JEREMY B. NICKELS

To be scientist director

PETER I. HARTSOCK
LAUREN C. IACONO-CONNORS
ROSA J. KEY-SCHWARTZ
HELENA O. MISHOE
JOYCE L. SMITH
WILLIAM H. TAYLOR I, II

To be senior scientist

CHRISTINE J. BENALLY
JOHN J. ECKERT
LAURENCE M. GRUMMER-STRAWN
LESLIE A. MACDONALD

To be scientist

RACHEL N. AVCHEN
DAN-MY T. CHU
DANICE K. EATON
LISA N. PEALER
DIANA L. SCHNEIDER

To be environmental health officer director

ALAN S. ECHT
ROBERT F. HENNES
MICHAEL E. HERRING
JOSEPH L. HUGHART
ROBERT S. NEWSAD
DOUGLAS C. PICKUP
RICHARD E. TURNER
PAUL T. YOUNG

To be senior environmental health officer

ERIC J. ESSWEIN
DEBORAH A. GRECO
WILLIAM J. GREIM
MICHAEL P. KEIFFER
JOE L. MALONEY
DAVID H. MCMAHON
GARY D. PERLMAN
EDWARD A. PFISTER
EDWIN VAZQUEZ

To be environmental health officer

CHARLES M. BLUE
WILLIAM C. CRUMP
TIMOTHY E. JIGGENS
MARY B. O'CONNOR
HARRICHAND RHAMBAROSE
DANIEL J. YEREB

To be senior assistant environmental health officer

ROBERT A. GIBBS
CHRISTOPHER T. SMITH

To be veterinary director

SEAN F. ALTEKRUSE
STEPHANIE I. HARRIS
HUGH M. MAINZER
STEPHANIE R. OSTROWSKI

To be senior veterinary officer

TERRI R. CLARK
VICTORIA A. HAMPSHIRE
ALFRED W. MONTGOMERY
DANIEL R. OLEARY

To be veterinary officer

GREGORY L. LANGHAM

To be pharmacist director

J. R. ERIC EDWARDS
MARY A. FONG
MARIE B. GREENWOOD
GEORGE J. HAVENS I, II
MARTIN JAGERS
ANTHONY E. KELLER
MICHAEL R. LILLA
M. CARLENE MCINTYRE
MURRAY F. POTTER
NICHOLAS A. QUAGLIETTA
RENEE J. RONCONE
MARGARET A. SIMONEAU
THOMAS J. TROSHYNSKI

To be senior pharmacist

CHRISTINE HEE-KYUNG CHUNG
MICHELLE DILLAHUNT
TERRY A. HOOK
MARY E. KREMZNER
NITIN K. PATEL
ROBERT G. PRATT
NITA SOOD
BRENDA L. STODART
MATTHEW J. TAROSKY
LISA L. TONREY

To be pharmacist

MATTHEW R. BAKER
DAVID A. BATES
WILLIAM H. BENDER
SYE D. BENNEFIELD
MARY A. BICKEL
BRADLEY M. BISHOP
MICHAEL P. BOURG
CATHERINE Y. CHEW
CHAE UN CHONG
TAMARA A. CLOSE
MICHAEL A. EDDY
REBECCA E. GARNER
GARY B. HOBBS
MARCI C. KIESTER
KRISTY M. KLINGER
VLADA MATUSOVSKY
NINA C. MEZU-NWABA
MARGARET A. RINCON
SPENCER S. SALIS
TINA M. SPENCE
JACQUELINE K. THOMAS
VASAVI T. THOMAS
GERARDO Z. VAZQUEZ
CHI-ANN YU WU

To be senior dietitian

JULI M. HAWS
ANN M. STATEN

To be dietitian

ROBERT M. COLLISON

To be senior therapist

JESSIE WHITEHURST LIEF
RITA B. SHAPIRO

To be therapist

COREY S. DAHL
FREDERICK V. LIEF
HENRY P. MCMILLAN
ROBERT E. ROE, JR.
JON M. SCHULTZ

To be health services director

WILLIAM M. GOSMAN
GREG A. KETCHER
ROBERT J. LYON
W. HENRY MACPHERSON
MARGARET A. MCDOWELL
MICHAEL R. MILNER
JANET REEN SAUL

To be senior health services officer

CAROL E. AUTEN
GREGORY D. CLIFT
VALERIE A. DARDEN
MICHAEL J. FLOOD
MARK S. HOSS
RICHARD R. KAUFFMAN
ELIJAH K. MARTIN, JR.
PHILIP S. MCRAE
SHEILA P. MERRIWEATHER
DAVID J. MILLER
SUNIL PATEL
ANTHONY SANCHEZ
PHILLIP L. TOY
JEANEAN D. WILLIS-MARSH

To be health services officer

DAVID J. BELLWARE
KEITH W. CESPON
RHONDALYN R. COX

GREGORY J. FLAITZ
ANNA T. GONZALES
DIONE MARIE HARJO
BETH ANNE HENSON
THERESA A. MINTER
DAISY D. MITCHELL
MICHELLE A. PELKEY
JACQUELINE D. RODRIGUE
TOBEY MANNS ROYAL
SCOTT J. SALVATORE
ANGELA K. SHEN

To be senior assistant health services officer

BRIAN T. BURT
SEAN R. BYRD
TORREY B. DARKENWALD
EDUARDO R. FAYTONG
JAMES D. HALL, JR.
CARL A. HUFFMAN I, II
JASON S. JURKOWSKI
RAQUEL A. PEAT
ANGEL E. SANCHEZ
STEPHEN C. SMITH
ANTHONY A. WALKER
DARIN S. WIEGERS
ELAINE C. WOLFF

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. LOREN M. RENO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. JAMES K. MCLAUGHLIN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MARK A. WELSH III

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. JOHN M. MATECZUN

IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be major

KATHLEEN V. REDER

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be major

SAMANTHA S. BOUSIGUES
JOHN J. LINNETT

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be lieutenant colonel

JOHN M. BEENE II

To be major

CHINMOY R. MISHRA
MARK E. SANBORN

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

GREGG A. BLISS

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

STUART A. MELLON

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

ROBERT S. GATEWOOD

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

STEVEN P. JAHNER

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

WILLIAM H. SMITHSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JAMES O. MCLINNAHAM

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR AT THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 4333(B) AND 4336(A):

To be lieutenant colonel

GREGORY R. EBNER

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

PAUL E. WEBB

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

RANDY R. COTE
MICHAEL P. STEELY

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

EROL AGI
MARTIN A. HRITZ
JOSEPH R. LOWE
DAVID A. NIEMIEC
PATRICK C. SEAN

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

RICHARD S. GLASS
WESLEY SHANKLAND
VICTOR F. WALLACE

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

JERZEY J. CHACHAJ

To be major

ANNE BROADWAY
CASEY J. GEANEY
GREGORY HART
JOHN E. WILLIAMS

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

MALISSA A. HILL

To be major

DANIEL N. MOBIT
JOHN D. PELICK
IRENE B. REYES
SOMA R. WEBB

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be colonel

DWIGHT Y. SHEN

To be lieutenant colonel

WILLIAM L. BUCHANAN
CAREY MITCHELL

To be major

LINA Z. HU
PAUL R. HUNT
JEFFREY R. LONG

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

MICHAEL C. AHN
RICHARD P. MARTIN

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

CHARLES K. ARIS
LINDA A. CILLS
MICHAEL P. HERMAN
MICHAEL J. WOODS
JOHN R. WORSTER

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

ERIC C. BUSH
KEVIN P. CAVANAUGH
KENNETH S. HARA
JON A. JENSEN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

EDWARD J. BRIAND
TERRY L. GOSCH
ALEC S. HAIL
THOMAS E. HONADEL
BRYAN K. KETZENBERGER
KATHLEEN M. MILLER
JOHN C. SMITH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

MELANIE J. CRAIG
PAULINE V. GROSS
PAUL D. STONEMAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

CYNTHIA J. ABBADINI
JENNIFER L. BEDICK
GLORIA L. BONDS
THOMAS E. CEREMUGA
CRYSTAL D. CHATMANBROWN
ROBERT F. DETTMER
KAREN D. DUNLAP
KIMBERLY A. FEDELE
WALT HINTON
DENISE L. HOPKINSCHADWICK
DONNA L. HUNT
WANDA D. JENKINS
GREGORY T. KIDWELL
RICHARD T. KNOWLTON, JR.
JANICE M. LEHMAN
PAUL C. LEWIS
JANICE F. NICKIEGREEN
JOSEPH M. PAULINO
JEFFREY E. PETERS
GERTDELL PHYALL
DIANE D. SCHERR
CATHERINE M. SHUTAK
BELINDA L. SPENCER
ELIZABETH A. VANE
JOY A. WALKER
KAREN M. WHITMAN
JUSTIN A. WOODHOUSE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

DERRICK F. ARINCORAYAN
JOSEPH P. BENTLEY
JOSEPH M. BIRD
STEPHEN V. BOWLES
LARRY D. CADE
LINDA R. CARMEN
RICK F. CLABAUGH
NOLAN P. CLARK, JR.
ALLAN J. DARDEN
RICHARD N. DAVID
PATRICK N. DENMAN
DANNY R. DEUTER
FREDRICK G. DUBOIS
DAVID K. DUNNING
PAUL H. DURAY, JR.
JEFFREY M. FOE
RONNY A. FRYAR
LAWRENCE V. FULTON
RICHARD GONZALES
MICHAEL S. HEIMALL
MICHAEL E. HERSHMAN
DAVID J. HILBER

PHILLIP L. HOCKINGS
WILLIAM P. LACHANCE
DENNIS P. LEMASTER
KEVIN M. MCNABB
CHARLES B. MILLARD
OCTAVIO C. MONTVAZQUEZ
MICHAEL T. NEARY
SCOTT J. PUTZIER
DAVID W. ROBERTS
STEVEN T. RUMBAUGH
WILLIAM F. SCHIEK
MATTHEW J. SCHOFIELD
THOMAS C. SLADE
STEPHEN D. SOBCZAK
JOHN SPAIN
WILLIAM M. STUBBS
CARMINE F. TAGLIERI
ANDREA E. TALIAFERRO
CASMERE H. TAYLOR
JOHN V. TEYHEN III
NATHANIEL TODD
HELEN B. VISCOUNT
MARK C. WILHITE
D060674

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

WILLIAM J. ADAMS
MICHAEL R. ANDERSON
JOSEPH W. ANGYAL
CARMINE C. APICELLA
FRANCISCO ARCE
GARY R. ARNOLD
RUSSELL N. BAILEY
MARIA B. BARRETT
MARK D. BAXTER
ANTHONY F. BECK
BRIAN P. BEDELL
STEPHEN J. BENAVIDES
ANDREW M. BERRIER
LINDA K. BEUCKENS
STEPHEN M. BIRCH
JOHN H. BIRDSONG III
RALPH BOECKMANN
JOSEPH J. BOVY, JR.
SAUL BRACERO
BOBBY J. BROWN
MICHAEL E. BROWN
JOHN R. BURGER
ROBERT E. BURKS, JR.
ROBERT K. CARNAHAN
DUANE T. CARNEY
DAVID H. CARSTENS
BRUCE D. CAULKINS
KEMP L. CHESTER
PHILIP B. CLEMMONS
ROSS M. CLEMONS
DAVID C. COCHRAN
PATRICK E. CONNORS II
ROBERT B. DAVIS
KENNETH L. DEAL, JR.
BRYAN D. DECOSTER
JOHN C. DEJARNETTE III
REGINA K. DRAPER
WILLIAM P. DUGGAN
DWIGHT L. DUQUESNAY
MARK A. ELLIOTT
GARY D. ESPINAS
MANUEL V. ESPINOSA
KIMBERLY FIELD
DENNIS D. FIEMEYER
CARLOS A. FIGUEROA
NEIL E. FITZPATRICK
STEVEN D. FLEMING
ROBERT E. FRIEDENBERG
SHAWN D. FRITZ
ROBERT J. GADDIS
JOHN A. GEORGE
TODD M. GESLING
KAREN H. GIBSON
JAMES A. GLACKIN
SIMON R. GOERGER
STEPHEN C. GOMILLION
THOMAS J. GOSS
DONG C. HA
MARK O. HAGUE
LINWOOD Q. HAM, JR.
ROBERT E. HAMILTON
DANIEL L. HAMPTON
CARY C. HARBAUGH
ALEX J. HEIDENBERG
MICHAEL D. HENDRICKS
ROBERT E. HENSTRAND
ALAN W. HESTER
CHRISTOPHER P. HIMSL
RICHARD J. HOLDREN
FERNANDO M. HUERTA
ROBERT S. HUGHES
MICHAEL P. HYNES
DAVID T. ISAACSON
MICHAEL J. JANSER
MICHAEL W. JOHNSON
DAVID S. JONES
JOHN K. JONES
KEITH L. JUNE
THOMAS J. KARDOS
JOHN M. KEETER
ILEAN K. KELTZ
MICHAEL E. KNUTSON
DAVID P. KOMAR
DEAN A. KRATZENBERG
JEFFREY D. KULMAYER
JAMES D. LAMPTON
SHIRLEY J. LANCASTER
GREGORY D. LAUTNER
MICHAEL S. LEWIS
JAMES R. LOY II
MARK W. LUKENS
KEVIN B. MARCUS
DOUGLAS V. MASTRIANO
TWALA D. MATHIS
JOHN A. MAUK
DAVID J. MCCARTHY
DOUGLAS F. MCCOLLUM
MICHAEL V. MCCREA
JARVIS B. MCCURDY
KAYE MCKINZIE
JOHN E. MCLAUGHLIN
STEVEN J. MCLAUGHLIN
JAMES R. MEISINGER
STEPHEN A. MIDDLETON
DANIEL B. MILLER
FREDERICK L. MILLER
JEFFREY H. MUSK
AXA S. PERWICH
WILLIAM R. PFEFFER
PAUL M. PHILLIPS
DANIAL D. PICK
MICHAEL J. PLUMMER
LAURA A. POTTER
MARK E. POWELL
SAMUEL H. PRUGH
EDWARD F. RIEHLE
GREGORY J. SALOMON
JEFFREY D. SAUNDERS
JEFFERY R. SCHILLING
SEAN M. SCOTT
JOSEPH C. SHANNON
DARRYL S. SHAW
IVAN B. SHIDLOVSKY
VAN R. SIKORSKY
GREGG A. SKIBICKI
JOSEPH K. SMITH
ROBERT A. SNYDER, JR.
EDWARD J. SOBIESK
STEPHEN C. SOBOTTA
BRYNDOL A. SONES
WAYNE P. STILWELL
JOHN T. STROMBERG
JOHN J. STRYCULA
RODNEY X. STURDIVANT
ANDREA L. THOMPSON
ROBERT TIMM
ANNETTE L. TORRISI
STEVEN L. TUCKER
RICHARD J. TURNER
ARLESTER VERNON, JR.
MARK M. VISOSKY
CARLOS L. WALKER, JR.
KELLY J. WARD
AARON A. WEBSTER
JAMES P. WETZEL
RANDALL H. WILLIAMSON
PETER B. WITH
STEPHEN C. WREN
TIMOTHY R. WULFF
JAMES G. ZELLMER
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X0002
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THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

RICHARD K. ADDO
JAMES E. ANDERSON
WENDY M. BECHTEL
ROBERT W. BENNETT, JR.
PHARISSE BERRY
WILLIAM M. BORUFF
SHERRIE L. BOSLEY
DARRELL L. BRIMBERRY
JEFFREY W. BRLECIC
TIMOTHY D. BROWN
PATRICK W. BURDEN
JOSEPH R. CALLOWAY
LESTER J. CAMPBELL
PAUL A. CHAMBERLAIN
TIMOTHY D. CHYMA
SANDRA R. CLARK
WILLIAM R. CLARK
BESHARA J. CONSTANTINE, JR.
THOMAS S. COOK
KENNETH D. COPELAND
MICHAEL D. COPENHAVER
DENISE H. CORLEY
ROOSEVELT H. CORPENING
BRIAN P. CUMMINGS
ROGER R. DANSEREAU
ARCHIE P. DAVIS III
CHRISTOPHER P. DAVIS
FREDERICK R. DENNISON
ANDREW J. DIMARCO
JOSEPH P. DIMINICK
DARRELL DUCKWORTH
WILLIAM E. FIELD
DANIEL A. FINLEY
JAMES M. FISCUS
THOMAS P. FLANDERS
ROBERT E. FLETCHER
JAMES O. FLY, JR.
FRANCIS D. FLYNN
SCOTT A. Z. FORSYTHE
STEPHANIE L. FOSTER
WILLIAM S. FULLER
EDWARD R. GALLOWITZ
JOSEPH G. GARCIA
VICTORIANO GARCIA, JR.
AARON L. GEDULDIG
HARDEE GREEN
RONALD L. GREEN
ROBERT E. GRIGSBY
JOHN S. HAMILTON
SAMMIE L. HARGROVE
VICTOR M. HARMON
ROBERT A. HARNEY, JR.
PATRICK O. HARRIS
MICHAEL T. HAUSER
JAMES D. HESS
TODD A. HEUSSNER
JUSTIN A. HIRNIAK
KEITH A. HIRSCHMAN
ROBERT T. HIXON
FRANCIS L. HOLINATY
RICHARD D. HORSLEY
LEO M. IMPAVIDO, JR.
BRUCE D. JENKINS
JOHNNY J. JOHNSTON
JERRY C. JONES
KAREN Z. JORDAN
RYAN B. KIVETT
LANCE R. KOENIG
AIMEE L. KOMINIAK
ROBERT S. LARSEN
JOHN LEMONDES, JR.
ROBERT C. LING
RUSSELL M. LIVINGSTON
DAVID J. LUDERS
DOUGLAS M. MCBRIDE
GARRY W. MCCLENDON
GREGORY R. MCCLINTON
ANDREW J. MCCONACHIE
CHRISTOPHER T. MCCURRY
EDWARD G. MCGINLEY
TIMOTHY A. MCKERNAN
ARIE J. MCSHERRY
RODNEY A. MENTZER
MARK F. MIGALEDDI
SCOTT S. MILLS
WILLIAM L. MOSELEY
KEITH E. MUSCHALEK
RICHARD J. NIEBERDING, JR.
TYLER C. OSENBAUGH
JOHN W. PERFETTI
JOHN L. POLLOCK
JOSEPH K. POPE
JOHN A. POTTS
SCOTT A. PULFORD
FREDERICK A. PUTHOFF
MARUE R. QUICK
BRIAN L. ROGERS
GWENDOLYN S. ROLAND
CHRISTIAN E. RUSH
TONY J. SARVER
KATHERINE A. SCANLON
GERHARD P. SCHROTER
WILLIAM C. SLADE
MICHAEL W. SNOW
LEONARD T. STEINER, JR.
KEVIN P. STODDARD
KENNETH M. SULLIVAN
TIMOTHY M. SULLIVAN
MICHAEL D. THEODOSS
WILLIAM O. THEWES
SIDNEY R. THOMAS
LEO R. THORNE, JR.
RICKY L. TILLOTSON
DAVID G. TOUZINSKY
LEROY L. TUNNAGE
JEFFREY J. VIEIRA
ALBERT J. VISCONTI
PHILLIP D. VONHOLTZ
JOHN C. WALLER
WILLIAM J. WANOVICH
LAWRENCE J. WARK
JOHN C. WATERS
CHARLES A. WELLS
THOMAS R. WETHERINGTON
TIMOTHY J. WHALEN
DAVID O. WHITAKER
DANNY A. WILEY
JOEL C. WILLIAMS
JULIAN R. WILLIAMS
CHRISTOPHER S. WILSON
TODD R. WOLF
JOHN S. WOMACK
BETTY J. YARBROUGH
D060746
D060598

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

KENNETH P. ADGIE
ANTONIO A. AGUTO, JR.
CARL A. ALEX
SHAWN D. ALLEN
CAROL L. ANDERSON
JAN F. APO
MICHAEL APODACA
SAMUEL L. ASHLEY
MARC D. AXELBERG
JAMES E. BAKER, JR.
TRACY P. BANISTER
JAMES T. BARKER
HILLARY R. BAXTER
KEITH A. BEAN
FRANCIS M. BEAUDETTE
THOMAS G. BELL
CHRISTOPHER L. BENSON
WILLIAM F. BIGELOW
JOSEPH F. BIRCHMEIER
MARCUS C. BLACK, JR.

THOMAS S. BLAIR
GUSTAVO E. BLUM
BOB G. BOND
MICHAEL D. BORG
MARK C. BOUSSY
DAVID W. BUCKINGHAM
JOHN C. BURDETT, JR.
ROBERT K. BURK
ROBERT K. BYRD
PAUL T. CALVERT
CHRISTOPHER B. CARLILE
MAXEY B. CARPENTER III
JONATHAN L. CARROLL
CURTIS J. CARSON
TIMOTHY J. CHMURA
THOMAS V. CHRISTENSEN
CARMINE CICALESE
JOEL J. CLARK
RONALD P. CLARK
KEVIN R. CLARKE, JR.
MARTIN C. CLAUSEN
CHARLES T. CLIMER, JR.
CARL R. COFFMAN, JR.
JONATHAN M. COHEN
JOHN D. COOKSEY
DOUGLAS C. CRISSMAN
RICHARD E. CROGAN II
JOHN W. CROSS
PAUL R. DANIELS
DAVID A. DANIKOWSKI
BENTON A. DANNER
DONALD E. DEGIDIO, JR.
GREGORY P. DEWITT
ROBERT P. DICKERSON
MICHAEL A. DILLARD
PATRICK J. DONAHOE
STEVEN L. DONALDSON
THOMAS T. DORAME
MARSHALL K. DOUGHERTY, JR.
JOHN P. DRAGO
JON R. DRUSHAL
KEVIN R. DUNLOP
JOHN O. EDBORG
SCOTT L. EFFLANDT
CHARLES J. EKVALL, JR.
CHARLES M. EVANS
ANGELIA D. FARNELL
MARK F. FASSL
DAVID M. FEE
JOSEPH R. FELICIANO
RICHARD M. FENOLI
MICHAEL R. FENZEL
CHARLES P. FERRY
WILLIAM J. FINLEY
CHARLES A. FISH
THOMAS S. FISHER
TIMOTHY E. FITZGERALD
RONALD F. FIZER
MICHAEL A. FLEETWOOD
EDWARD R. FLEMING
PATRICK D. FRANK
GEORGE L. FREDRICK
MARK A. FREITAG
BARRY A. GAERTNER
JOSEPH N. GAINES
NANETTE GALLANT
DANIEL R. GARCIA
MARK GATTO
MORRIS T. GOINS
HERMAN GOODEN, JR.
MICHAEL J. GOULD
MICHAEL S. GRAESE
WILLIAM H. GRAHAM, JR.
HOWARD L. GRAY
WAYNE C. GRIEME, JR.
MICHAEL W. GRIFFITH
ERIK O. GUNHUS
DIXON M. GUNTHER
JOHN D. HALL
RONALD K. HANN, JR.
SCOTT A. HARRIS
MICHAEL J. HARTIG
CHARLES C. HEATHERLY
DEAN D. HEITKAMP
CHARLES T. HENSLEY
MARK R. HIRSCHINGER
ANTHONY J. HOFMANN
MARTIN J. HOLLAND
PAUL S. HOSSENLOPP
JAMES E. HUTTON
MICHAEL A. IACOBUCCI
DAVID S. IMHOF
DOUGLAS L. INGROS
TERRY J. JAMISON, JR.
STEPHEN E. JESELINK
FREDERICK H. JESSEN
DAVID G. JOHNSON
RONALD M. JOHNSON
RONALD D. JONES
ROBERT E. KAISER
JOHN D. KEITH
MATTHEW S. KELLEY
JEFFREY L. KENT
RICHARD C. KIM
JOHN W. KING II
JOHN S. KOLASHESKI
JOHN M. KOLESSAR
SCOTT P. KUBICA
DALE C. KUEHL
THOMAS G. KUNK
JOHN G. KUNKLE
KEITH D. LADD
WILLIAM J. LEADY, JR.
ADAM J. LEGG
CHAD G. LEMAY
SAMUEL M. LIGO
MANFRED L. LITTLE II
JAMES J. LOVE
RICARDO M. LOVE
GEORGE A. LUMPKINS
JAMES R. MACKLIN, JR.
KEVIN S. MACWATTERS
LAWRENCE H. MADKINS III
PATRICK J. MAHANEY, JR.
GLEN A. MASSET
MATTHEW D. MATTER
TIMOTHY J. MCATEER
FRANK MCCLARY
ROBERT C. MCDOWELL
MICHAEL J. MCGUIRE
DENNIS S. MCKEAN
CHARLES L. MCMURTREY
CHAD B. MCREE
BRIAN J. MENNES
RONALD J. METTERNICH
DREW R. MEYEROWICH
JEFFREY L. MILHORN
MICHAEL W. MINOR
CLYDE A. MOORE
ROBERT D. MORSCHAUSER
FRANK MUGGEO
STEPHEN C. MYERS
TIMOTHY E. NEWSOME
JOHN E. NOVALIS II
RICKY J. NUSSIO
JAMES M. OBRIEN
MARK W. ODOM
CRAIG A. OSBORNE
WILLIAM B. OSTLUND
WADE A. OWENS
BRIAN R. PAGE
CHRISTOPHER R. PARSONS
MARK C. PATTERSON
COURTNEY W. PAUL
BARRETT K. PEAVIE
MICHAEL D. PEMRICK
CLINTON R. PENDERGAST
COBY M. PETERSEN
JAY L. PETERSON
KENNETH M. PETERSON
JAMES W. PHILLIPS
SCOTT W. POWER
MICHAEL J. PRICE
TIMOTHY W. QUILLIN
FRANK Y. RANGEL, JR.
MICHAEL W. RAUHUT
CHRISTOPHER D. REED
VERNIE L. REICHLING, JR.
ALFRED E. RENZI, JR.
WILLIAM S. RIGGS
JOHN M. RILEY
STEVEN J. ROEMHILDT
THOMAS J. ROTH
PAUL D. ROUNSAVILLE
KENNETH M. ROYALTY
KENNETH T. ROYAR
JAMES E. SAENZ
CHRISTOPHER W. SALLESE
SCOTT E. SANBORN
DINO J. SARRACINO
JEFFREY T. SAUER
MARK C. SCHWARTZ
STEVEN A. SCIONEAUX
CASEY P. SCOTT
DAVID M. SEARS
CLAYTON O. SHEFFIELD
MICHAEL L. SHENK
ROGER L. SHUCK
DEAN P. SHULTIS
REGINALD L. SIKES, JR.
RANDY L. SMITH
TROY A. SMITH
DAVID B. SNODGRASS
BRUCE V. SONES
WILLIAM M. STACEY
DANIEL E. STOLTZ
MARK A. STRONG
MARK S. SULLIVAN
KENNETH D. SWANSON
ERIC D. SWEENEY
MICHAEL J. TARSA
FRANK W. TATE
JAMES M. TENNANT
DONNIE L. THOMAS
JOHN W. THOMPSON
RAFAEL TORRES, JR.
PAUL D. TOUCHETTE
RICHARD M. TOY
THOMAS J. TROSSEN
CARL R. TROUT
BRYAN P. TRUESDELL
JOEL K. TYLER
CHARLES H. VANHEUSEN
JOHN M. VENHAUS
VAN J. VOORHEES
ROBERT P. WADE
MICHAEL R. WALKER
DANIEL R. WALRATH
MICHAEL T. WALSH
MARK L. WALTERS
ALLAN L. WEBSTER
LEONARD E. WELLS
ERIC M. WELSH
RICHARD E. WHITE
BARRY K. WILLIAMS
PATRICK W. WILLIAMS
RONALD J. WILLIAMS
JOEL A. WOODWARD
FRANK ZACHAR
GUY M. ZERO
MARIA T. ZUMWALT
D070302
D070229
D060526
D060267
D070487

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 531:

To be major

CHRISTOPHER M. BRANNEN
MONTGOMERY C. ERFOURTH
LEO S. GREGORY
JOSEPH G. MARINE II
HARRY S. PORTER
JEFFREY L. SEAVY
MARK C. SMYDRA
ERICH H. WAGNER

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

MARK C. HOLLEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

MICHAEL C. COLLINS

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

CHANNING J. THOMAS

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTIONS 531 AND 1211:

To be lieutenant

EVAN B. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTIONS 531 AND 5582:

To be lieutenant commander

GERALD C. LOWE
VICTOR D. OLIVER

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

EDWARD J. ARRISON
GLORIA J. KING
CLEVIS T. PARKER, JR

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

To be lieutenant commander

GREGORY R. ADAMS
JON G. BOGER
DEREK J. CEDARS
BENNETT M. CHRISTMAN
COLIN CORRIDAN
ALLEN P. DECKERS
GARY E. DUBIA
RANDY M. ELDER
ANDREW J. ELLIS
JEFFREY C. FASSBENDER
DAVID W. FASSEL
MICHAEL T. FAUST
BRYAN S. GALLO
VICTOR J. GARZA
WAYNE H. GAYLE
SCOTT E. HARRIS
MARY K. HAYS
JOHN R. HODGES
WILLIAM M. JAMESON
DOUGLAS E. JONART
AMY E. LINDAHL
NATHAN D. LUTHER
MATTHEW J. MACKAY
DAVID T. MAGEE
JAMES P. MAY
MATTHEW A. MCNEALY
MARK D. MISENER
JAMES A. MURDOCK
ENRIQUE ORTIGUERRA
MICHAEL J. POPLAWSKI
DANIEL K. RACE
JEFFREY J. STGEORGE
TRICIA L. TEAS
JAMES J. VONSTPAUL
STEPHEN A. WIEGEL
DONOVAN B. WORTHAM

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, November 18, 2008 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

NOVEMBER 19

9:30 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine the nomination of Neil M. Barofsky, of New York, to be Special Inspector General for the Troubled Asset Relief Program of the Treasury.

SD–538

10 a.m.

Budget

To hold hearings to examine the economic outlook and options for stimulus.

SD–608

Finance

To hold hearings to examine health care reform, focusing on the economic perspective.

SD–215

Judiciary

To hold hearings to examine helping families stay in their homes, focusing on the role of bankruptcy laws.

SH–216

2 p.m.

Commission on Security and Cooperation in Europe

To hold hearings to examine Turkmenistan, focusing on prospects for change.

B–318, Rayburn Building

Daily Digest

HIGHLIGHTS

See Résumé of Congressional Activity.

Senate

Chamber Action

Routine Proceedings, pages S10535–S10606

Measures Introduced: Eight bills and one resolution were introduced, as follows: S. 3683–3690, and S. Res. 706. **Page S10578**

Measures Reported:

Report to accompany S. 1924, to amend chapter 81 of title 5, United States Code, to create a presumption that a disability or death of a Federal employee in fire protection activities caused by any of certain diseases is the result of the performance of such employee's duty. (S. Rept. No. 110–520)

Report to accompany S. 980, to amend the Controlled Substances Act to address online pharmacies. (S. Rept. No. 110–521) **Page S10578**

Measures Passed:

United States Army Commemorative Coin Act: Senate passed H.R. 5714, to require the Secretary of the Treasury to mint coins in recognition and celebration of the establishment of the United States Army in 1775, to honor the American soldier of both today and yesterday, in wartime and in peace, and to commemorate the traditions, history, and heritage of the United States Army and its role in American society, from the Colonial period to today, clearing the measure for the President. **Page S10601**

Authorizing Testimony and Legal Representation: Senate agreed to S. Res. 706, to authorize testimony and legal representation in Peter Bergel v. Pacific Gas & Electric. **Pages S10602–02**

House Messages:

Child Safe Viewing Act: Senate concurred in the amendment of the House of Representatives to S. 602, to develop the next generation of parental control technology, clearing the measure for the President. **Page S10601**

Appointments:

Congressional Oversight Panel: The Chair announced the following appointment made by the Majority Leader of the Senate, after consultation with the Republican Leader of the Senate, and the Speaker of the House during the recess of the Senate pursuant to the unanimous consent agreement of October 2, 2008: Pursuant to provisions of Public Law 110–343, appointment of Damon Silvers, of Maryland, as a member of the Congressional Oversight Panel. **Page S10602**

Congressional Oversight Panel: The Chair announced the following appointment made by the Majority Leader during the recess of the Senate pursuant to the unanimous consent agreement of October 2, 2008: Pursuant to provisions of Public Law 110–343, the appointment of Elizabeth Warren, of Massachusetts, as a member of the Congressional Oversight Panel. **Page S10602**

Second Reading—Agreement: A unanimous-consent agreement was reached providing that with respect to the following measures that have been read for the first time, the measures be considered as having been read a second time on Tuesday, November 18, 2008, for the purpose of placing the bills on the Senate calendar with respect to rule XIV: S. 3526, H.R. 6842, H.R. 6899, S. 3535, S. 3646, H.R. 6867, H.R. 7110, S. 3688, and S. 3689. **Page S10602**

Nominations Received: Senate received the following nominations:

Neil M. Barofsky, of New York, to be Special Inspector General for the Troubled Asset Relief Program.

Robert A. DeHaan, of Virginia, to be an Assistant Secretary of Transportation.

Michael Jonathan Green, of Maryland, to be Special Representative and Policy Coordinator for Burma, with the rank of Ambassador.

Steven C. Hollon, of Ohio, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2010.

Joseph E. Lambert, of Kentucky, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2009.

Gayle A. Nachtigal, of Oregon, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2009.

Arthur G. Scotland, of California, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2010.

Gerald W. VandeWalle, of North Dakota, to be Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2009.

3 Air Force nominations in the rank of general.

2 Coast Guard nominations in the rank of admiral.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army, Coast Guard, Foreign Service, Marine Corps, Navy, and the Public Health Service. **Pages S10602–06**

Messages from the House: **Pages S10559–61**

Measures Read the First Time: **Page S10561**

Enrolled Bills Presented During Recess: **Page S10561**

Executive Communications: **Pages S10561–78**

Additional Cosponsors: **Pages S10578–79**

Statements on Introduced Bills/Resolutions: **Pages S10579–S10601**

Additional Statements: **Pages S10555–59**

Authorities for Committees to Meet: **Page S10601**

Adjournment: Senate convened at 12 noon and adjourned at 6:03 p.m., until 9:30 a.m. on Wednesday, November 19, 2008. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S10602.)

Committee Meetings

(Committees not listed did not meet)

NOMINATION

Committee on Finance: Committee concluded a hearing to examine the nomination of Neil M. Barofsky, of New York, to be Special Inspector General for the Troubled Asset Relief Program of the Department of the Treasury, after the nominee testified and answered questions in his own behalf.

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of Robert W. McGowan, of Nevada, to be a Governor of the United States Postal Service, after the nominee testified and answered questions in his own behalf.

NOMINATIONS

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nominations of Kathryn A. Oberly, to be an Associate Judge of the District of Columbia Court of Appeals, who was introduced by Senator Clinton, and Alfred S. Irving, Jr., to be an Associate Judge of the Superior Court of the District of Columbia, who was introduced by Representative Norton, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

The House was not in session today. The House is scheduled to meet at 1 p.m. on Wednesday, November 19, 2008, pursuant to section 2 of H. Con. Res. 440.

Committee Meetings

IS TREASURY USING BAILOUT FUNDS TO INCREASE FORECLOSURE PREVENTION AS CONGRESS INTENDED?

Committee on Oversight and Government Reform: On November 14, the Subcommittee on Domestic Policy held a hearing entitled ''Is Treasury Using Bailout Funds to Increase Foreclosure Prevention as Congress Intended?'' Testimony was heard from Neel Kashkari, Interim Assistant Secretary, Financial Stability, and Assistant Secretary, International Economics and Development, Department of the Treasury; Michael Barr, former Deputy Assistant Secretary, Community Development, Department of the Treasury; and public witnesses.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D1232)*

H.R. 3986, to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, and for other purposes. Signed on October 3, 2008. (Public Law 110–338)

S. 1760, to amend the Public Health Service Act with respect to the Healthy Start Initiative. Signed on October 3, 2008. (Public Law 110–339)

S. 2135, to prohibit the recruitment or use of child soldiers, to designate persons who recruit or use child soldiers as inadmissible aliens, to allow the deportation of persons who recruit or use child soldiers, and for other purposes. Signed on October 3, 2008. (Public Law 110–340)

S.J. Res. 35, to amend Public Law 108–331 to provide for the construction and related activities in support of the Very Energetic Radiation Imaging Telescope Array System (VERITAS) project in Arizona. Signed on October 3, 2008. (Public Law 110–341)

S.J. Res. 45, expressing the consent and approval of Congress to an interstate compact regarding water resources in the Great Lakes—St. Lawrence River Basin. Signed on October 3, 2008. (Public Law 110–342)

H.R. 1424, of 1974, section 2705 of the Public Health Service Act, section 9812 of the Internal Revenue Code of 1986 to require equity in the provision of mental health and substance-related disorder benefits under group health plans, to prohibit discrimination on the basis of genetic information with respect to health insurance and employment, and for other purposes. Signed on October 3, 2008. (Public Law 110–343)

H.R. 923, to provide for the investigation of certain unsolved civil rights crimes, and for other purposes. Signed on October 7, 2008. (Public Law 110–344)

H.R. 1199, to extend the grant program for drug-endangered children. Signed on October 7, 2008. (Public Law 110–345)

H.R. 5834, to amend the North Korean Human Rights Act of 2004 to promote respect for the fundamental human rights of the people of North Korea, and for other purposes. Signed on October 7, 2008. (Public Law 110–346)

H.R. 5975, to designate the facility of the United States Postal Service located at 101 West Main Street in Waterville, New York, as the ''Cpl. John P. Sigsbee Post Office''. Signed on October 7, 2008. (Public Law 110–347)

H.R. 6092, to designate the facility of the United States Postal Service located at 101 Tallapoosa Street in Bremen, Georgia, as the ''Sergeant Paul Saylor Post Office Building''. Signed on October 7, 2008. (Public Law 110–348)

H.R. 6437, to designate the facility of the United States Postal Service located at 200 North Texas Avenue in Odessa, Texas, as the ''Corporal Alfred Mac Wilson Post Office''. Signed on October 7, 2008. (Public Law 110–349)

H.R. 6889, to extend the authority of the Secretary of Education to purchase guaranteed student loans for an additional year, and for other purposes. Signed on October 7, 2008. (Public Law 110–350)

H.R. 6893, to amend parts B and E of title IV of the Social Security Act to connect and support relative caregivers, improve outcomes for children in foster care, provide for tribal foster care and adoption access, improve incentives for adoption, and for other purposes. Signed on October 7, 2008. (Public Law 110–351)

S. 3015, to designate the facility of the United States Postal Service located at 18 S. G Street, Lakeview, Oregon, as the ''Dr. Bernard Daly Post Office Building''. Signed on October 7, 2008. (Public Law 110–352)

S. 3082, to designate the facility of the United States Postal Service located at 1700 Cleveland Avenue in Kansas City, Missouri, as the ''Reverend Earl Abel Post Office Building''. Signed on October 7, 2008. (Public Law 110–353)

H.R. 1157, to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer. Signed on October 8, 2008. (Public Law 110–354)

H.R. 1343, to provide additional authorizations of appropriations for the health centers program under section 330 of such Act, and for other purposes. Signed on October 8, 2008. (Public Law 110–355)

H.R. 3068, to prohibit the award of contracts to provide guard services under the contract security guard program of the Federal Protective Service to a business concern that is owned, controlled, or operated by an individual who has been convicted of a felony. Signed on October 8, 2008. (Public Law 110–356)

H.R. 3229, to require the Secretary of the Treasury to mint coins in commemoration of the legacy of the United States Army Infantry and the establishment of the National Infantry Museum and Soldier Center. Signed on October 8, 2008. (Public Law 110–357)

H.R. 4120, to amend title 18, United States Code, to provide for more effective prosecution of cases involving child pornography, and for other purposes. Signed on October 8, 2008. (Public Law 110–358)

H.R. 5001, to authorize the Administrator of General Services to provide for the redevelopment of the Old Post Office Building located in the District of Columbia. Signed on October 8, 2008. (Public Law 110–359)

H.R. 5057, to reauthorize the Debbie Smith DNA Backlog Grant Program, and for other purposes. Signed on October 8, 2008. (Public Law 110–360)

H.R. 5265, to amend the Public Health Service Act to provide for research with respect to various forms of muscular dystrophy, including Becker, congenital, distal, Duchenne, Emery-Dreifuss facioscapulohumeral, limb-girdle, myotonic, and oculopharyngeal, muscular dystrophies. Signed on October 8, 2008. (Public Law 110–361)

H.R. 5571, to extend for 5 years the program relating to waiver of the foreign country residence requirement with respect to international medical graduates, and for other purposes. Signed on October 8, 2008. (Public Law 110–362)

H.R. 5872, to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the Boy Scouts of America, and for other purposes. Signed on October 8, 2008. (Public Law 110–363)

H.R. 6370, to transfer excess Federal property administered by the Coast Guard to the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians. Signed on October 8, 2008. (Public Law 110–364)

H.R. 6460, to amend the Federal Water Pollution Control Act to provide for the remediation of sediment contamination in areas of concern, and for other purposes. Signed on October 8, 2008. (Public Law 110–365)

H.R. 6890, to extend the waiver authority for the Secretary of Education under section 105 of subtitle A of title IV of division B of Public Law 109–148, relating to elementary and secondary education hurricane recovery relief, and for other purposes. Signed on October 8, 2008. (Public Law 110–366)

H.R. 6894, to extend and reauthorize the Defense Production Act of 1950, and for other purposes. Signed on October 8, 2008. (Public Law 110–367)

H.R. 6946, to make a technical correction in the NET 911 Improvement Act of 2008. Signed on October 8, 2008. (Public Law 110–368)

H.R. 7081, to approve the United States-India Agreement for Cooperation on Peaceful Uses of Nuclear Energy, and for other purposes. Signed on October 8, 2008. (Public Law 110–369)

H.J. Res. 62, to honor the achievements and contributions of Native Americans to the United States, and for other purposes. Signed on October 8, 2008. (Public Law 110–370)

S. 496, to reauthorize and improve the program authorized by the Appalachian Regional Development Act of 1965. Signed on October 8, 2008. (Public Law 110–371)

S. 1046, to modify pay provisions relating to certain senior-level positions in the Federal Government, and for other purposes. Signed on October 8, 2008. (Public Law 110–372)

S. 1382, to amend the Public Health Service Act to provide for the establishment of an Amyotrophic Lateral Sclerosis Registry. Signed on October 8, 2008. (Public Law 110–373)

S. 1810, to amend the Public Health Service Act to increase the provision of scientifically sound information and support services to patients receiving a positive test diagnosis for Down syndrome or other prenatally and postnatally diagnosed conditions. Signed on October 8, 2008. (Public Law 110–374)

S. 2482, to repeal the provision of title 46, United States Code, requiring a license for employment in the business of salvaging on the coast of

Florida. Signed on October 8, 2008. (Public Law 110–375)

S. 2606, to reauthorize the United States Fire Administration, and for other purposes. Signed on October 8, 2008. (Public Law 110–376)

S. 2932, to amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program to provide assistance for poison prevention, sustain the funding of poison centers, and enhance the public health of people of the United States. Signed on October 8, 2008. (Public Law 110–377)

S. 2982, to amend the Runaway and Homeless Youth Act to authorize appropriations, and for other purposes. Signed on October 8, 2008. (Public Law 110–378)

S. 3560, to amend title XIX of the Social Security Act to provide additional funds for the qualifying individual (QI) program, and for other purposes. Signed on October 8, 2008. (Public Law 110–379)

S. 3597, to provide that funds allocated for community food projects for fiscal year 2008 shall remain available until September 30, 2009. Signed on October 8, 2008. (Public Law 110–380)

H.R. 2851, to amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to ensure that dependent students who take a medically necessary leave of absence do not lose health insurance coverage, and for other purposes. Signed on October 9, 2008. (Public Law 110–381)

S. 2840, to establish a liaison with the Federal Bureau of Investigation in United States Citizenship and Immigration Services to expedite naturalization applications filed by members of the Armed Forces and to establish a deadline for processing such applications. Signed on October 9, 2008. (Public Law 110–382)

H.R. 2963, to transfer certain land in Riverside County, California, and San Diego County, California, from the Bureau of Land Management to the United States to be held in trust for the Pechanga Band of Luiseno Mission Indians, and for other purposes. Signed on October 10, 2008. (Public Law 110–383)

H.R. 3480, to direct the United States Sentencing Commission to assure appropriate punishment enhancements for those involved in receiving stolen property where that property consists of grave markers of veterans, and for other purposes. Signed on October 10, 2008. (Public Law 110–384)

S. 1492, to improve the quality of federal and state data regarding the availability and quality of broadband services and to promote the deployment of affordable broadband services to all parts of the Nation. Signed on October 10, 2008. (Public Law 110–385)

S. 1582, to reauthorize and amend the Hydrographic Services Improvement Act, and for other purposes. Signed on October 10, 2008. (Public Law 110–386)

S. 2162, to improve the treatment and services provided by the Department of Veterans Affairs to veterans with post-traumatic stress disorder and substance use disorders, and for other purposes. Signed on October 10, 2008. (Public Law 110–387)

S. 2816, to provide for the appointment of the Chief Human Capital Officer of the Department of Homeland Security by the Secretary of Homeland Security. Signed on October 10, 2008. (Public Law 110–388)

S. 3023, to amend title 38, United States Code, to improve and enhance compensation and pension, housing, labor and education, and insurance benefits for veterans, and for other purposes. Signed on October 10, 2008. (Public Law 110–389)

S. 3128, to direct the Secretary of the Interior to provide a loan to the White Mountain Apache Tribe for use in planning, engineering, and designing a certain water system project. Signed on October 10, 2008. (Public Law 110–390)

S. 3606, to extend the special immigrant nonminister religious worker program and for other purposes. Signed on October 10, 2008. (Public Law 110–391)

H.R. 1532, to amend the Public Health Service Act with respect to making progress toward the goal of eliminating tuberculosis, and for other purposes. Signed on October 13, 2008. (Public Law 110–392)

H.R. 5350, to authorize the Secretary of Commerce to sell or exchange certain National Oceanic and Atmospheric Administration property located in Norfolk, Virginia, and for other purposes. Signed on October 13, 2008. (Public Law 110–393)

H.R. 5618, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes. Signed on October 13, 2008. (Public Law 110–394)

H.R. 6199, to designate the facility of the United States Postal Service located at 245 North Main Street in New City, New York, as the ''Kenneth Peter Zebrowski Post Office Building''. Signed on October 13, 2008. (Public Law 110–395)

H.R. 6229, to designate the facility of the United States Postal Service located at 2523 7th Avenue East in North Saint Paul, Minnesota, as the ''Mayor William 'Bill' Sandberg Post Office Building''. Signed on October 13, 2008. (Public Law 110–396)

H.R. 6338, to designate the facility of the United States Postal Service located at 4233 West Hillsboro Boulevard in Coconut Creek, Florida, as the ''Army

SPC Daniel Agami Post Office Building''. Signed on October 13, 2008. (Public Law 110–397)

H.R. 6849, to amend the commodity provisions of the Food, Conservation, and Energy Act of 2008 to permit producers to aggregate base acres and reconstitute farms to avoid the prohibition on receiving direct payments, counter-cyclical payments, or average crop revenue election payments when the sum of the base acres of a farm is 10 acres or less, and for other purposes. Signed on October 13, 2008. (Public Law 110–398)

H.R. 6874, to designate the facility of the United States Postal Service located at 156 Taunton Avenue in Seekonk, Massachusetts, as the ''Lance Corporal Eric Paul Valdepenas Post Office Building''. Signed on October 13, 2008. (Public Law 110–399)

S. 431, to require convicted sex offenders to register online identifiers, and for other purposes. Signed on October 13, 2008. (Public Law 110–400)

S. 1738, to require the Department of Justice to develop and implement a National Strategy Child Exploitation Prevention and Interdiction, to improve the Internet Crimes Against Children Task Force, to increase resources for regional computer forensic labs, and to make other improvements to increase the ability of law enforcement agencies to investigate and prosecute child predators. Signed on October 13, 2008. (Public Law 110–401)

S. 3296, to extend the authority of the United States Supreme Court Police to protect court officials off the Supreme Court Grounds and change the title of the Administrative Assistant to the Chief Justice. Signed on October 13, 2008. (Public Law 110–402)

S. 3325, to enhance remedies for violations of intellectual property laws, and for other purposes. Signed on October 13, 2008. (Public Law 110–403)

S. 3477, to amend title 44, United States Code, to authorize grants for Presidential Centers of Historical Excellence. Signed on October 13, 2008. (Public Law 110–404)

S. 3536, to amend section 5402 of title 39, United States Code, to modify the authority relating to United States Postal Service air transportation contracts, and for other purposes. Signed on October 13, 2008. (Public Law 110–405)

S. 3569, to make improvements in the operation and administration of the Federal courts, and for other purposes. Signed on October 13, 2008. (Public Law 110–406)

S. 3598, to amend titles 46 and 18, United States Code, with respect to the operation of submersible vessels and semi-submersible vessels without nationality. Signed on October 13, 2008. (Public Law 110–407)

S. 3605, to extend the pilot program for volunteer groups to obtain criminal history background checks. Signed on October 13, 2008. (Public Law 110–408)

H.R. 928, to amend the Inspector General Act of 1978 to enhance the independence of the Inspectors General, to create a Council of the Inspectors General on Integrity and Efficiency, and for other purposes. Signed on October 14, 2008. (Public Law 110–409)

H.R. 1594, to designate the Department of Veterans Affairs Outpatient Clinic in Hermitage, Pennsylvania, as the Michael A. Marzano Department of Veterans Affairs Outpatient Clinic. Signed on October 14, 2008. (Public Law 110–410)

H.R. 2786, to reauthorize the programs for housing assistance for Native Americans. Signed on October 14, 2008. (Public Law 110–411)

H.R. 6098, to amend the Homeland Security Act of 2002 to improve the financial assistance provided to State, local, and tribal governments for information sharing activities, and for other purposes. Signed on October 14, 2008. (Public Law 110–412)

H.R. 7198, to establish the Stephanie Tubbs Jones Gift of Life Medal for organ donors and the family of organ donors. Signed on October 14, 2008. (Public Law 110–413)

S. 906, to prohibit the sale, distribution, transfer, and export of elemental mercury, and for other purposes. Signed on October 14, 2008. (Public Law 110–414)

S. 1276, to facilitate the creation of methamphetamine precursor electronic logbook systems, and for other purposes. Signed on October 14, 2008. (Public Law 110–415)

S. 2304, to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide grants for the improved mental health treatment and services provided to offenders with mental illnesses, and for other purposes. Signed on October 14, 2008. (Public Law 110–416)

S. 3001, to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes. Signed on October 14, 2008. (Public Law 110–417)

S. 3550, to designate a portion of the Rappahannock River in the Commonwealth of Virginia as the ''John W. Warner Rapids''. Signed on October 14, 2008. (Public Law 110–418)

H.R. 1714, to clarify the boundaries of Coastal Barrier Resources System Clam Pass Unit FL–64P. Signed on October 15, 2008. (Public Law 110–419)

H.R. 4544, to require the issuance of medals to recognize the dedication and valor of Native American code talkers. Signed on October 15, 2008. (Public Law 110–420)

H.R. 6045, to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2012. Signed on October 15, 2008. (Public Law 110–421)

H.R. 6063, to authorize the programs of the National Aeronautics and Space Administration, and for other purposes. Signed on October 15, 2008. (Public Law 110–422)

H.R. 6073, to provide that Federal employees receiving their pay by electronic funds transfer shall be given the option of receiving their pay stubs electronically. Signed on October 15, 2008. (Public Law 110–423)

H.R. 6083, to authorize funding to conduct a national training program for State and local prosecutors. Signed on October 15, 2008. (Public Law 110–424)

H.R. 6353, to amend the Controlled Substances Act to address online pharmacies. Signed on October 15, 2008. (Public Law 110–425)

H.R. 6469, to amend the Public Health Service Act to authorize increased Federal funding for the Organ Procurement and Transplantation Network. Signed on October 15, 2008. (Public Law 110–426)

H.R. 6524, to authorize the Administrator of General Services to take certain actions with respect to parcels of real property located in Eastlake, Ohio, and Koochiching County, Minnesota, and for other purposes. Signed on October 15, 2008. (Public Law 110–427)

H.R. 7082, to amend the Internal Revenue Code of 1986 to permit the Secretary of the Treasury to disclose certain prisoner return information to the Federal Bureau of Prisons, and for other purposes. Signed on October 15, 2008. (Public Law 110–428)

H.R. 7177, to authorize the transfer of naval vessels to certain foreign recipients, and for other purposes. Signed on October 15, 2008. (Public Law 110–429)

H.J. Res. 100, appointing the day for the convening of the first session of the One Hundred Eleventh Congress and establishing the date for the counting of the electoral votes for President and Vice President cast by the electors in December 2008. Signed on October 15, 2008. (Public Law 110–430)

S. 3641, to authorize funding for the National Crime Victim Law Institute to provide support for victims of crime under Crime Victims Legal Assistance Programs as a part of the Victims of Crime Act of 1984. Signed on October 15, 2008. (Public Law 110–431)

H.R. 2095, to amend title 49, United States Code, to prevent railroad fatalities, injuries, and hazardous materials releases, to authorize the Federal Railroad Safety Administration, and for other purposes. Signed on October 16, 2008. (Public Law 110–432)

H.R. 6296, to extend through 2013 the authority of the Federal Election Commission to impose civil money penalties on the basis of a schedule of penalties established and published by the Commission. Signed on October 16, 2008. (Public Law 110–433)

H.R. 6531, to amend chapter 13 of title 17, United States Code (relating to the vessel hull design protection), to clarify the definitions of a hull and a deck. Signed on October 16, 2008. (Public Law 110–434)

H.R. 7084, to amend section 114 of title 17, United States Code, to provide for agreements for the reproduction and performance of sound recordings by webcasters. Signed on October 16, 2008. (Public Law 110–435)

H.R. 7222, to extend the Andean Trade Preference Act, and for other purposes. Signed on October 16, 2008. (Public Law 110–436)

H.R. 5159, to establish the Office of the Capitol Visitor Center within the Office of the Architect of the Capitol, headed by the Chief Executive Officer for Visitor Services, to provide for the effective management and administration of the Capitol Visitor Center, and for other purposes. Signed on October 20, 2008. (Public Law 110–437)

S. 3197, to amend title 11, United States Code, to exempt for a limited period, from the application of the means-test presumption of abuse under chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days. Signed on October 20, 2008. (Public Law 110–438)

H.R. 3511, to designate the facility of the United States Postal Service located at 2150 East Hardtner Drive in Urania, Louisiana, as the ''Murphy A. Tannehill Post Office Building''. Signed on October 21, 2008. (Public Law 110–439)

H.R. 4010, to designate the facility of the United States Postal Service located at 100 West Percy Street in Indianola, Mississippi, as the ''Minnie Cox Post Office Building''. Signed on October 21, 2008. (Public Law 110–440)

H.R. 4131, to designate a portion of California State Route 91 located in Los Angeles County, California, as the ''Juanita Millender-McDonald Highway''. Signed on October 21, 2008. (Public Law 110–441)

H.R. 6558, to designate the facility of the United States Postal Service located at 1750 Lundy Avenue in San Jose, California, as the ''Gordon N. Chan Post Office Building''. Signed on October 21, 2008. (Public Law 110–442)

H.R. 6681, to designate the facility of the United States Postal Service located at 300 Vine Street in New Lenox, Illinois, as the ''Jacob M. Lowell Post Office Building''. Signed on October 21, 2008. (Public Law 110–443)

H.R. 6834, to designate the facility of the United States Postal Service located at 4 South Main Street in Wallingford, Connecticut, as the ''CWO Richard R. Lee Post Office Building''. Signed on October 21, 2008. (Public Law 110–444)

H.R. 6847, to designate the facility of the United States Postal Service located at 801 Industrial Boulevard in Ellijay, Georgia, as the ''First Lieutenant Noah Harris Ellijay Post Office Building''. Signed on October 21, 2008. (Public Law 110–445)

H.R. 6902, to designate the facility of the United States Postal Service located at 513 6th Avenue in Dayton, Kentucky, as the ''Staff Sergeant Nicholas Ray Carnes Post Office''. Signed on October 21, 2008. (Public Law 110–446)

H.R. 6982, to designate the facility of the United States Postal Service located at 210 South Ellsworth Avenue in San Mateo, California, as the ''Leo J. Ryan Post Office Building''. Signed on October 21, 2008. (Public Law 110–447)

H.R. 6197, to designate the facility of the United States Postal Service located at 7095 Highway 57 in Counce, Tennessee, as the ''Pickwick Post Office Building''. Signed on October 22, 2008. (Public Law 110–448)

COMMITTEE MEETINGS FOR TUESDAY, NOVEMBER 18, 2008

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: closed business meeting to consider pending nominations and to consider and approve the report of the Committee's inquiry into the treatment of detainees in U.S. custody, 4 p.m., SR–222.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine the state of the domestic automobile industry, 3 p.m., SD–538.

House

Committee on Financial Services, hearing entitled ''Oversight of Implementation of the Emergency Economic Stabilization Act of 2008 and of Government Lending and Insurance Facilities: Impact on Economy and Credit Availability,'' 9:30 a.m., 2128 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Economic Opportunity, hearing on VA's Short and Long-Term Strategies for Implementing New G.I. Bill Requirements, 10:30 a.m., 334 Cannon.

CONGRESSIONAL PROGRAM AHEAD

Week of November 18 through November 22, 2008

Senate Chamber

On *Wednesday*, Senate will resume consideration of the motion to proceed to consideration of S. 3297, to advance America's priorities.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Armed Services: November 18, closed business meeting to consider pending nominations and to consider and approve the report of the Committee's inquiry into the treatment of detainees in U.S. custody, 4 p.m., SR–222.

Committee on Banking, Housing, and Urban Affairs: November 18, to hold hearings to examine the state of the domestic automobile industry, 3 p.m., SD–538.

November 19, Full Committee, to hold hearings to examine the nomination of Neil M. Barofsky, of New York, to be Special Inspector General for the Troubled Asset Relief Program of the Treasury, 9:30 a.m., SD–538.

Committee on the Budget: November 19, to hold hearings to examine the economic outlook and options for stimulus, 10 a.m., SD–608.

Committee on Finance: November 19, to hold hearings to examine health care reform, focusing on the economic perspective, 10 a.m., SD–215.

Committee on the Judiciary: November 19, to hold hearings to examine helping families stay in their homes, focusing on the role of bankruptcy laws, 10 a.m., SH–216.

House Committees

To be announced.

Résumé of Congressional Activity

SECOND SESSION OF THE ONE HUNDRED TENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 3 through October 31, 2008

	Senate	*House*	*Total*
Days in session	161	114	..
Time in session	933 hrs., 38′	881 hrs., 22′	..
Congressional Record:			
Pages of proceedings	10,525	10,828	..
Extensions of Remarks	..	2,247	..
Public bills enacted into law	93	103	..
Private bills enacted into law	..	..	..
Bills in conference	4	5	1,545
Measures passed, total	555	990	..
Senate bills	104	93	..
House bills	171	424	..
Senate joint resolutions	4	4	..
House joint resolutions	4	3	..
Senate concurrent resolutions	23	6	..
House concurrent resolutions	37	94	..
Simple resolutions	212	366	..
Measures reported, total	*449	*398	847
Senate bills	294	4	..
House bills	127	288	..
Senate joint resolutions	3	1	..
House joint resolutions	1	..	..
Senate concurrent resolutions	2	..	..
House concurrent resolutions	2	5	..
Simple resolutions	20	100	..
Special reports	6	6	..
Conference reports	1	4	..
Measures pending on calendar	650	89	..
Measures introduced, total	1,498	3,147	4,645
Bills	1,152	2,341	..
Joint resolutions	18	25	..
Concurrent resolutions	41	164	..
Simple resolutions	287	617	..
Quorum calls	3	2	..
Yea-and-nay votes	213	468	..
Recorded votes	..	213	..
Bills vetoed	..	4	..
Vetoes overridden	3	3	..

*These figures include all measures reported, even if there was no accompanying report. A total of 265 reports have been filed in the Senate, a total of 407 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 3 through October 31, 2008

Civilian nominations, totaling 489 (including 180 nominations carried over from the First Session), disposed of as follows:	
Confirmed	258
Unconfirmed	191
Withdrawn	40
Other Civilian nominations, totaling 2,600 (including 8 nominations carried over from the First Session), disposed of as follows:	
Confirmed	2,449
Unconfirmed	151
Air Force nominations, totaling 5,917 (including 5 nominations carried over from the First Session), disposed of as follows:	
Confirmed	5,904
Unconfirmed	12
Withdrawn	1
Army nominations, totaling 5,667 (including 19 nominations carried over from the First Session), disposed of as follows:	
Confirmed	5,640
Unconfirmed	26
Withdrawn	1
Navy nominations, totaling 4,677 (including 3 nominations carried over from the First Session), disposed of as follows:	
Confirmed	4,665
Unconfirmed	11
Withdrawn	1
Marine Corps nominations, totaling 1,558 (including 1 nomination carried over from the First Session), disposed of as follows:	
Confirmed	1,557
Unconfirmed	1

Summary

Total nominations carried over from the First Session	216
Total nominations received this Session	20,692
Total confirmed	20,473
Total unconfirmed	392
Total withdrawn	43
Total returned to the White House	0

Next Meeting of the SENATE

9:30 a.m., Wednesday, November 19

Senate Chamber

Program for Wednesday: After the transaction of any morning business, Senate will resume consideration of the motion to proceed to consideration of S. 3297, Advancing America's Priorities Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

1 p.m., Wednesday, November 19

House Chamber

Program for Wednesday: To be announced.

Congressional Record

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