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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, December 9, 2008, at 11 a.m.

Senate

MONDAY, DECEMBER 8, 2008

(Legislative day of Thursday, November 20, 2008)

The Senate met at 3 p.m., on the expiration of the recess, and was called to order by the Honorable JIM WEBB, a Senator from the Commonwealth of Virginia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, Your joy in our heart promised us to praise You. Thank You for the opportunity to serve You and country. Thank You for unsung heroes and heroines on Capitol Hill, staffers and others who work diligently and skillfully to safeguard our freedom. Remind them that You see their faithfulness and will reward their dedication. May their faithfulness produce a harvest that will bring deliverance and security to our Nation and the world.

Lord, during this season of anticipation and appreciation, transform our gratitude into unselfish service. May our service to humanity be a candle that will dispel darkness and illuminate the road ahead.

We pray in the Name of the Light of the World. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JIM WEBB 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, December 8, 2008.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JIM WEBB, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. WEBB thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will proceed to a period of morning business with Senators allowed to speak for up to 10 minutes each. We will be in a period of morning business for up to 1 hour.

AUTOMOBILE INDUSTRY LOAN

Mr. REID. Mr. President, I can say with certainty that not one of the 100 Members of the Senate approaches the work ahead of us this week with a sense of glee.

The past American century has been defined, in no small part, by the manufacturing ingenuity, raw power, and limitless possibilities embodied by our automobile industry.

Packard, Nash, Studebaker, Hudson, Plymouth, they are all gone. There are others. Ford, General Motors, and Chrysler are American icons. Yet we now see that all three teeter on the brink of collapse, due in no small part to their own ineptitude.

Although the blame for this desperate state falls squarely on the shoulders of those who run the Big Three, the consequences of their failures could broadly impact our entire country. The jobs of millions of American workers are at stake, along with the financial security of millions of families. So while we take no satisfaction in loaning taxpayer money to these companies, we know it must be done.

Today, the stock market, which will be open for a few minutes more, a little over an hour, today was up by more than 300 points as I walked into the Chamber today. Why? Because Congress is trying to save Detroit. We must act, not to reward the executives of the Big Three for their failures but to invest in the millions of Americans who could face the consequences of their failures.

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

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I strongly disagree with the Bush administration's refusal to use funds from the Troubled Asset Relief Program. They should have done it. TARP, that is what it is called. These monies, we believe, should be used to help the auto industry.

Speaker PELOSI, Chairman DODD, Congressman FRANK, and I wrote the President last week, urging him to act because of the financial risks of the collapse of one or more of the Big Three. The President's refusal to do so requires Congress to take action.

I wish to especially thank Senator CHRIS DODD and Congressman BARNEY FRANK, who worked through the weekend to come up with legislation that will give the automakers a chance to clean house and return to a responsible path toward profitability. It was literally of no personal benefit to Senator DODD and Congressman FRANK for doing what they did; it was simply the right thing to do. Their staffs have been heroic soldiers, in their legislative efforts, working literally around the clock for the last 4 or 5 days.

And because of their efforts; that is, the two chairs and their valiant staffs, we have legislation before us, or soon will have, that will provide funds to see the auto companies through to the end of the first quarter of next year.

But this is no blank check or blind hope. If the companies fail to develop a plan that will lead to long-term competitiveness and profitability, if they fail to stick to that plan, the loan can be recalled. That is what the intended law says. We require strong oversight, executive pay standards, and taxpayer protection, such as warrants and a prohibition on dividends, to ensure that taxpayers stand to benefit if and when this plan succeeds.

There is no perfect or good answer to this problem. No solution will satisfy everyone and no legislation would be cause for celebration. But if Senators are willing to work together the next few days, we can pass legislation that represents good legislation, though not perfect, that will enable America's largest single manufacturing base to continue and, in the immediate future, bound forward once again to be the power of America's manufacturing sector.

RECOGNITION OF THE REPUBLICAN LEADER

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

AUTOMOBILE INDUSTRY HELP

Mr. MCCONNELL. Mr. President, Congress returns this week at a time of grave concern about the state of our Nation's economy. Americans are worried about the credit markets that serve as the lifeblood of our Main Street economy. They are worried about the broader financial industry. And now they are worried about the possibility of another major convulsion coming from the auto industry, an important source of jobs throughout America, including my own State of Kentucky.

As we consider new legislation this week, we must first ensure that we do no harm to taxpayers later in our efforts to help any one particular industry now. That is why Republicans insist that any proposal aimed at helping the auto industry include a firm commitment on its part to significant and fundamental reform. Troubled automakers cannot expect taxpayer help without a serious commitment to change their ways permanently.

Any assistance from Congress would hold the auto industry accountable to essential reforms from day one. And it would include enforcement capabilities, including strict, immediate accountability and oversight. Automakers should not expect any new appropriations. Congress will not draw on funds that have already been designated to stabilize the entire economy in order to help one sector of it.

As Congress works to help stabilize the broader economy, we cannot expose the taxpayers to new burdens without the promise of avoiding in the future the same mistakes that created these problems in the first place. This is the principle that should guide all of us in this week's negotiations. I am confident it will guide Republicans.

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 will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. The Senator from Missouri is recognized.

CRISIS IN AUTO INDUSTRY

Mr. BOND. Mr. President, I rise today to speak on the issues facing the crisis in the auto industry as well as the Department of the Treasury's Troubled Asset Relief Program or TARP.

As the economy continues its severe downturn, American families across the country face challenges on a level not experienced for decades. With hundreds of thousands of jobs being lost each month, small businesses and millions of Americans struggling to meet everyday needs, the Federal Government is being challenged to come up with new solutions. We are clearly in a unique time as we are experiencing an economic downturn unparalleled since the Great Depression.

Our Government has already taken a number of emergency actions to prevent an economic calamity but new crises continue to develop. The latest and, of course, we think right now the most noticeable crisis is the potential collapse of the domestic auto industry.

Unlike many other industries, the auto industry touches millions of jobs and many manufacturing and service industries throughout the Nation. We are not talking only about autoworkers in assembly plants, we are also talking about auto suppliers, dealerships, repair shops, steel, glass, and plastic industries.

These auto-related jobs are not just in big cities such as Detroit and Cleveland, St. Louis, or Kansas City, those jobs support families in small- and medium-sized communities across rural America in places in my home State such as Dexter, Fenton, Mexico, Riverside, Maryville, Moberly, Versailles, and Joplin. I have been meeting with many of these people in the last few weeks.

But despite the real need for temporary emergency assistance to save jobs in Missouri and across the country, I do not support a taxpayer-funded blank check that will prop up failed business models without getting the changes that are vitally needed.

It is a disservice to the American taxpayer to throw good money after bad, when these big businesses contributed to their problems. I share and understand the ''bailout fatigue'' of most taxpayers, a lot of folks in my State, and we are troubled by the Government intervention in the private market. But I think it is important to note the failures of the auto companies, like the financial markets, are more than just a failure of the markets and the industry. It also occurred due to Government actions, some of which were pushed by the Congress.

Congress helped bring about $4-a-gallon gasoline that pushed car sales down before the credit crisis—in which we also had a hand—shut off car loans.

Our country, however, is facing a unique economic emergency and now is not the time to point fingers of blame.

It is a time to examine carefully all policy options, including the option of doing nothing. But doing nothing for the auto industry would mean allowing them to go into bankruptcy. Unfortunately, bankruptcy takes several years, and many consumers would not purchase a car or a truck from a company in bankruptcy. In fact, recent research studies suggest that 20 to 30 percent of shoppers avoided purchasing domestic autos in October due to the speculation of bankruptcy. In other

words, bankruptcy would likely lead to the end of the auto industry. If they were to go into chapter 11, debtor in possession financing is required to get out of chapter 11, but with the credit markets frozen, where would they get that money? That is what we are talking about today.

The collapse of the auto industry would not be without cost to the taxpayers. The loss of hundreds of thousands—if not millions—of jobs would severely strain our social safety net, as taxpayer funds would have to be used for unemployment benefits, health care, and other necessary social services.

For these reasons, I decided I would not turn my back on families, small businesses, and communities in Missouri and across the Nation, but I would also not turn my back on taxpayers and simply throw money after the problem. Facing an economic crisis that is only going to get worse, I believe—I have believed, as I do now—action is necessary. This is why I worked to craft a bipartisan bill with my colleagues: Senators LEVIN, VOINOVICH, STABENOW, BROWN, SPECTER, and CASEY. This bipartisan bill, called the Auto Industry Emergency Bridge Loan Act, would provide temporary emergency assistance to the auto industry but hold the companies accountable by requiring specific plans with real and significant cost-control measures and cuts. Specifically, the Levin-Bond bill includes three key principles. First, the bill must have strong taxpayer protection. This means taxpayers will be repaid for the emergency assistance, and taxpayers would share in the turnaround profits of participating automakers. Second, the bill includes executive accountability so that failed executives will not be rewarded for poor management. Third, and most important, the bill includes significant financial reform so that recipients of taxpayer funds must demonstrate they have a plan to ensure long-term competitiveness, health, and profitability by bringing their costs under control.

This bill would require all stakeholders—including management, labor, creditors, and shareholders—to make sacrifices. The companies must take real restructuring reform measures that address unproductive and duplicative lines and legacy costs that are burdensome. Our original bill said we must have the Secretary of Commerce make that decision because that is not a decision we in this body can sit down and make with stacks of plans in front of us. We want experts in the Department of Commerce and those they bring in from the outside to determine whether these plans are workable, whether they meet the criteria. One of the ideas that has been floated is to have a car czar to bring together interested stakeholders, including management, unions, and creditors, to negotiate long-term financial viability plans for participating auto manufacturers and component suppliers, or we need an oversight board to oversee the use of emergency loan funds and implementation of any completed financial viability plans to make sure the fundamental reforms are made. If there is a czar to be appointed, I strongly suggest and I am sure the current administration would consult closely with the Obama transition team to make sure they had somebody who was mutually acceptable who would work in the Commerce Department with the resources there to advise the Secretary, the President, and the President-elect that these plans are, in fact, viable.

It is important to note that the plan we understand is being discussed—and our bill—does not provide any new taxpayer funds. Instead, it uses previously appropriated funds to provide the emergency bridge loans under the program. These funds are then to be repaid to that fund to be used for the original clean car retooling program. Similarly, using these new funds will not be allowed to change any of the clean car efficiency requirements originally imposed on automakers.

It is encouraging for me and my colleagues to hear in the media that many of the people working on it—the leadership—have stated publicly their support for the general approach and principles outlined in the Levin-Bond bill. While the news has been generally encouraging, we have not seen any details of the bill being developed by the Democratic leadership. I have been unable to find out from the White House if they have seen the details or the wording. It is absolutely important, to secure the votes to pass this bill in the Senate, that it contain these key principles: taxpayer protection, executive accountability, and a viable long-term plan specifically laid out so that we know where they are going. Without that, I do not believe the Senate can or should pass that bill. There must be strong powers to ensure that restructuring measures will be enforced. The czar should be appointed, if we get one, by the administration, in cooperation with the President-elect. Providing even a short-term bridge loan without a real enforceable plan is not a responsible approach. Funds must be conditioned on a strong restructuring strategy so that the taxpayers have confidence that it is a bridge loan to somewhere that will lead to long-term financial viability, competitiveness, health, and profitability.

TARP

Mr. BOND. Before closing, I offer a few comments on the TARP program. Since enactment of the Emergency Economic Stabilization Act in early October, the Treasury Department has spent almost all of its initial $350 billion under TARP to recapitalize several banks and financial institutions. It has been reported that the Treasury Secretary may request the remaining $350 billion as early as this week. Under the law, the President must submit a written request that details the Treasury Secretary's plan to use the additional funds, and Congress has 15 days to enact a disapproval resolution. However, given the track record of the Treasury's use of the initial $350 billion of TARP funds, it is difficult for many of us to feel confident that the Department will spend additional funds in an effective and efficient manner. The administration is going to have to demonstrate that it has addressed a number of very serious implementation issues. As a Senator from the Show Me State, I expect to see them.

Some of these issues are related to the management and oversight of the funds as reported last week by the U.S. Government Accountability Office, the GAO. In its report, the GAO uncovered a number of management and oversight deficiencies that raise serious questions about the program's integrity, accountability, transparency, and effectiveness. Frankly, the GAO's findings were very troubling. The GAO pointed to the Treasury Department's inadequate staffing, failure to establish a mechanism to track billions in taxpayer funds provided to the banks, and failure to establish a system on how it would monitor compliance with executive compensation limitations required by the legislation. In other words, it appears the Treasury is unable to tell taxpayers how their funds are being spent and whether the money is being spent in a reasonable and effective manner. I don't think that is acceptable.

The GAO also uncovered other troubling findings, such as Treasury's lack of action to address the foreclosure crisis. As we all know, the housing foreclosure crisis is at the center of the financial credit crisis. In recognition of this, the EESA included specific language for the Secretary to address the housing crisis. Unfortunately, Treasury has not taken sufficient action as communities and families across the country continue to be devastated by foreclosures. Loan modification efforts are failing, as evidenced by the Treasury Office of Comptroller—the OCC—data released this morning. According to the OCC, about 36 percent of borrowers were more than 30 days past due on loan payments 3 months after their loan was modified and nearly 53 percent were more than 30 days late after 6 months. What is going on here?

These findings raise significant questions, if not doubts, about both private and Government loan modification efforts, including those through the Department's so-called HOPE NOW Program. As I previously warned, the administration's and Congress's push to use the Federal Housing Administration to prevent foreclosures by refinancing subprime and troubled loans may end up costing taxpayers a lot of money in the near future. Rescuing the FHA through taxpayer funds is not surprising to those who have watched the FHA closely and know they have longstanding management and oversight

problems and lack of resources. Clearly, a more aggressive, comprehensive, and smarter approach to the foreclosure crisis must be taken if we are to recover from the recession.

The housing crisis has now spread from subprime mortgages to prime mortgages as economic factors impact borrowers' ability to pay their mortgages. Due to expansion of the mortgage crisis, it is critical that we find measures to protect and create jobs. The importance of jobs and its impact on the housing crisis further raises the importance of devising a responsible rescue package for the auto industry since millions of jobs are at risk—over 3 million jobs in the Nation, 220,000 jobs in Missouri.

TARP has also disappointed me by the ad hoc implementation of the program. Prior to the creation of TARP, the Department seemed to be improvising on a daily basis its intervention with financial markets. One of our intents in creating TARP was to provide a structure and coherency to the Government's approach to the financial crisis. That we have not seen. Before this and the next administration submit a request for the remaining TARP funds, we expect to have answers to the questions and issues raised by the GAO and others. The Government needs to provide more certainty on how it will address the financial and economic crisis and provide answers to taxpayers on how it has spent taxpayers funds already provided.

These are very serious times. I want to see action by this Congress. I want to see us move quickly. But I also want to see action by the auto industry to advise the czar or the Secretary of Commerce, and I want to see action by the Treasury to give us a better idea of how TARP funds are being used, how they will be accounted for, how they are going to be implemented, and how they are going to be used. If they don't have an approach, I will come forward with a suggestion on how we restructure those home loans that are in crisis.

I ask unanimous consent that Senator BROWNBACK be added as a cosponsor to S. 3715, the Auto Industry Emergency Bridge Loan Act.

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

Mr. BOND. I yield the floor and 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.

Mr. SPECTER. Mr. President, I arrived at the same time as the distinguished Senator from North Dakota, and I ask unanimous consent that he be recognized following my brief presentation.

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

ECONOMIC AID TO AUTO INDUSTRY

Mr. SPECTER. Mr. President, I have sought recognition to discuss the issue as to what Congress should do, if anything, with respect to economic aid to General Motors, Ford, and Chrysler. This is an issue which has been very much in the news, with the prospect that one or more of these companies might not survive—probably would not survive—in the absence of some aid from the U.S. Government.

Last Tuesday, I convened a meeting in Philadelphia attended by key executives from each of the Big Three, labor leaders, the head of the Pennsylvania AFL–CIO, the head of the Pennsylvania United Auto Workers Community Action Program, and the head of the Philadelphia Labor Council. Also in attendance were dealers, suppliers, and economists to review the situation, to get a background, to understand it better, to provide for the consideration this week of the issue which will be before the Senate.

At that meeting, the Big Three painted a very gloomy picture. Ford was in the best position of the three, having arranged credit some time ago, and they had a request pending for some $9 billion in standby aid. They were not asking for it, but only want it available in case their situation came to the point where they actively needed it in order to survive. The CEO of Ford said that if the $9 billion was requested and received, he would then serve for a dollar a year.

The projections from General Motors and Chrysler were considerably gloomier than Ford, with the statements made that if they did not get aid by the end of the year, they might have to go into bankruptcy, or to Chapter 11 bankruptcy proceedings. The suppliers were very concerned about the impact on their situation. The auto dealers were similarly concerned. Labor is very worried about the loss of jobs. So it was a very gloomy meeting overall.

On Thursday, I convened a meeting in the Lehigh Valley. We did not have representatives of the Big Three, but we did have labor locally, dealers, bankers, economists who evaluated that situation. I joined with Senators LEVIN, STABENOW, BOND, VOINOVICH, and BROWN on November 20 in endorsing legislation to assist the Big Three, to say that it is something I would be willing to consider in light of the projected difficulties and the ripple effect it could have on the economy.

My statement in the news conference which we held and a statement on the Senate floor was that my view was limited to consideration of such economic aid conditioned on the Big Three having plans to move forward which would present the realistic likelihood that they would be able to succeed. Considerable attention was given in the meetings which I held last week in Pennsylvania to the alternative of bankruptcy, and there have been many who have said bankruptcy would be the appropriate course as bankruptcy proceedings were held with the steel industry and the airlines, and that was the way to resolve the issue if the Big Three could not survive. One point which all of the Big Three agreed upon was that if one failed, they were all going to fail.

The considerations with respect to bankruptcy which were considered at the two meetings I held were the contention that bankruptcy would be unacceptable to have the survival or having the Big Three come out of bankruptcy because of the difference between the automobile manufacturer situation contrasted with the steel industry or with the airlines. When buyers are looking for a car or looking for a warranty, they expect the companies to be in existence for protracted periods of time, so that the argument was made that Chapter 11 proceedings or bankruptcy generally would not be acceptable.

I commented at these meetings, as I did on the Senate floor and in the news conference which the six Senators had on November 20, that the public sentiment is very much opposed to bailouts. After the $700 billion legislation was passed on October 3, I traveled the State of Pennsylvania and had town meetings. I found the temperature of my constituents was at the boiling point, 212 Fahrenheit, and, in fact, the thermometers were broken. I commented to the town meeting attendees that the vote which was taken in the Senate was a strong vote—74 to 25—which was a very strong vote, because of the potentially catastrophic consequences of what would happen to the economy. We didn't like the bailout of Bear Stearns or the bailout of AIG, and Lehman Brothers was not bailed out, and there were major regulatory problems which would be addressed by the Congress. Those who had made false representations on the balance sheets saying that the companies were worth falsified figures, knowing them to be false—that is fraud—and there were investigations, criminal investigations underway, and that as in the Enron situation, people could go to jail for making those false representations. But I make that comment because of the public view which is opposed to the so-called bailouts; that it ought not to be the Government which picks winners and losers, but it ought to be the market which picks winners and losers. I repeat what I have said in prior floor statements which is that the Big Three have a very steep burden of proof and that the Big Three will have to come up with a plan which is reasonably and realistically calculated to succeed. We are now talking about various oversight provisions, talking about limited compensation, golden parachute plans which will make the Big Three competitive in a very difficult market, and

taking a look at the drastic reduction of automobile sales. But one factor came through loudly and clearly, and that was the potential consequences if the automotive industry—the Big Three—collapse, that we would be without the major portion of the industrial base in the United States, which as we all know in time of national emergency, in time of war, is indispensable for the defense of our country.

So my staff and I and my colleagues are all taking a very close look at the proposals which the Big Three have made. I had a request to meet with General Motors and we will be doing that tomorrow. We are talking to a lot of people who were totally opposed to economic aid from the Federal Government. So we have to weigh the consequences as to what happens if economic aid is not given. It is hard to calculate what the consequences will be on the economy, but some of the predictions are virtually catastrophic. We must weigh that against the likelihood of the success of the plans, and it all depends on the quality of those plans.

I thank the Chair. I know Senator DORGAN is close at hand, but in the absence of any other Senator seeking recognition, I suggest the absence of a quorum.

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

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

Mr. DORGAN. Mr. President, I ask unanimous consent that the Senator from New Mexico be recognized for 1 minute, I believe, and following which I would be recognized.

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

The Senator from New Mexico is recognized.

Mr. BINGAMAN. Mr. President, I thank my colleague.

REMEMBERING ALICE MARTIN KING

Mr. BINGAMAN. Last night, Alice King, one of New Mexico's most respected and best loved citizens, died as a result of a stroke. This is a tremendous loss to our State, and certainly to her husband, former Governor Bruce King, and her sons Bill and Gary and all of the family.

Anyone who has lived in New Mexico for any amount of time in recent decades has actually felt they were a part of the King family in a way. Republicans and Democrats alike, ranchers or lawyers or pipefitters or schoolchildren, the Kings knew virtually everyone in our State, and nearly everyone in the State felt they knew the Kings. Certainly our State has benefited from the decades of public service the many members of the family have given, led by Bruce and Alice. He was the Governor of our State three times in three different decades and by his side always was his partner Alice. He was at her side last night.

She was always more than just the Governor's wife. She was a leader in our State on children's issues. She was the force behind the creation of a cabinet level department, the Department of Children, Youth and Families. A vigorous, tireless, undaunted advocate for children, she lifted them and their issues to the top of our State's list of priorities, and she was their champion.

New Mexico has lost an invaluable citizen, one whose accomplishments are part of our history and part of our future. She was a great person, a great friend to many people, including my wife Anne and me. We join the King family in grieving the loss of this wonderful woman and remembering her with appreciation and love.

Mr. President, I yield the floor.

EXTENSION OF MORNING BUSINESS

Mr. DORGAN. Mr. President, I ask unanimous consent that morning business be extended for 1 hour, with Senators permitted to speak for up to 10 minutes each.

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

Mr. DORGAN. I ask unanimous consent to be recognized as in morning business for 20 minutes.

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

AUTOMOBILE INDUSTRY LOAN BAILOUT

Mr. DORGAN. Mr. President, this week there will be a lot of discussion on the floor of the Senate about a bridge loan to the automobile industry in this country. I wish to speak about a bit of it here. It is quite clear that this country faces very serious financial problems—perhaps the most serious in my lifetime. We know that thoughtful leadership can help move this country past these problems and to address these problems, but they indeed are very serious.

Here is a description of the jobs that have been lost since the first of this year. Nearly 2 million private sector jobs have been lost this year.

This is kind of sanitary and doesn't mean so much in terms of numbers. But every one of those nearly 2 million people had to go home this year to tell a loved one or their family that they didn't have a job any longer. A job is what makes much of the other things that are good in our life possible. Nearly 2 million have lost jobs.

Most Americans who have some sort of retirement savings, whether it is a 401(k) or an IRA, if they have looked—and some have not—they have discovered that 30 to 40 percent of that is now gone, washed away by a serious financial crisis. Millions of people have lost their homes and millions more will unless something is done. It is one thing to lose a home, it is another thing to lose a job; but to lose a job and a home is a devastating blow to the American family. This is more than some sort of normal contraction of the business cycle.

I have said before that I taught economics in college. When you teach economics, you teach about the business cycle. There is a contraction phase and an expansion phase of the business cycle.

This is not a recession that is a result of a contraction phase of the business cycle. This is something very different. This is a financial collapse, a financial crisis. This is manmade. This is not some force of nature that is visited upon a population. This is a result of reckless business practices by some of the largest financial firms in this country.

Unfortunately, instead of dealing with the cause, there is much effort now to throw money at the biggest firms in the country that helped steer our economy into the ditch. I am not suggesting there is not a requirement to make a very significant investment in portions of the economy to try to provide buoyancy and some lift to steer this country out of the recession. But there is an old country saying that the water won't clear up until you get the hogs out of the creek. What I see day after day is the movement of money to the very interests that steered this country into the ditch and caused the wreck in the first place.

This morning, I read in the Wall Street Journal about the CEO of Merrill Lynch, who is suggesting to the directors that he get a 2008 bonus of as much as $10 million. Merrill Lynch is one of the companies that has been in some difficulty. In fact, Merrill Lynch has been purchased and, as you will note from this chart, the top five banks that received taxpayer funds—I have not only listed them, but I talked about the amount of derivatives holdings they have. A substantial part of this recklessness has been hedge fund and CDOs and credit default swaps. J.P. Morgan got $25 billion in bailout funds, with $91.3 trillion in notional value as their derivatives holdings. Citigroup got $45 billion in bailout funds, plus we have guaranteed $306 billion of their toxic assets as well; and they have $37 trillion in derivatives holdings. The list goes on.

Bank of America got $15 billion, and they have $39 trillion in notional value of derivatives. This is what I call ''dark money.'' Nobody knows where it is; nobody knows who is liable for it; nobody knows what kind of exposure this rancid, reckless dark money imposes on the balance sheets of America's financial institutions.

We are discovering that some of the largest financial institutions in the

country failed, and the Treasury Secretary came to the Congress about a month and a half ago and said: I want $700 billion, and I want it in 3 days; otherwise, the economy will collapse. He got the $700 billion but not in 3 days.

He said: I want the $700 billion in order to buy toxic assets from the balance sheets of some of the largest financial institutions. I said at that time that I would not vote for it unless provisions require rulemaking to regulate the kinds of institutions that have steered this country into the ditch.

They said that was not possible. Then I said that it is not possible for me to vote for $700 billion if we are not putting regulations into place to give us the protection the American taxpayer needs. So what we have seen now in recent days and weeks is the Treasury Secretary decide: Well, I am not going to do what I said I was going to do with the $700 billion. Instead of buying toxic assets from the balance sheets of the largest financial institutions, I am going to invest capital in some of America's largest banks, with the thought that they will expand lending. The credit markets are frozen, and we can get the economy moving again. The Treasury Secretary said: I am not going to do what I told the Congress I was going to do. Instead, I am going to increase the capital in banks. He got $125 billion and put it into nine banks, some of which didn't want it. He didn't say that as a result of this you have to expand lending or as a result of this you cannot provide bonuses or as a result of this you cannot provide dividends. He gave them the money with no strings attached. It made no sense to me at all.

Some of this money is moving around into the dark crevasses of the financial institutions that were engaged in some of the most reckless financial practices I have seen in my lifetime, and with no conditions at all. It is interesting to me—and I am not here to make the case for the auto loan. I think the bridge loan to the automobile industry is probably something you have to do to avoid putting 2, 3, or 4 million people on the unemployment rolls at a time when the economy is teetering on the edge of a cliff. But the fact is, when the automobile industry executives came to this town, I came to the floor and said it was ham-handed what they did and that they ought to agree to work for a dollar a year. They have been making $2 million a month. They have been doing right well. I thought it was a ham-handed approach the first time they showed up here.

But the discussion about any bridge loan to the automobile industry is a different discussion than the one that happened with all of the financial industries. When the Treasury Secretary anted up $45 billion in total to Citigroup—and they said, by the way, we will also guarantee $306 billion of bad assets that you have on your books—did he ask for any conditions on that? Were there any restrictions? Did anybody get fired or lose their job in this company? Were there any restrictions on the use of that money? Were there any restrictions that they cannot pay bonuses? Did anybody say that they ought to park their private jets? No, not at all.

The biggest financial institutions have been showered with massive quantities of money, with no significant conditions. So today one of the failed institutions—at least one of the institutions that had to be purchased in order to be saved—the CEO says to the board of directors: I want a $10 million bonus for this year. This is a company that suffered $11.6 billion in losses this year, and the CEO says he wants a $10 million bonus. You talk about boneheaded. Are they not learning anything? We are talking about American taxpayer dollars being spent around this Wall Street crowd by the Treasury Secretary in massive quantities, without any restrictions that I am aware of. There is no accountability. By the way, you cannot even find transparency. Here is what we think is happening. By the way, this comes from pretty good reporting from Bloomberg and some others. So far, the federal financial bailout has put $8.5 trillion in taxpayer money at risk. The Federal Reserve programs, we are told at this point, guarantee about $5.5 trillion.

As you know, they opened their window for the first time in history for direct lending to investment banks at the Federal Reserve Board. We don't know what the taxpayers are on the hook for. Here is what some people have been forced to dig up, after we were promised there was going to be complete transparency, that the American people are going to be part of it. Some reporters have done some work. The Federal Reserve Program has $5.5 trillion pledged; FDIC pledges $1.5 trillion; Treasury Department, $1.1 trillion; Federal Housing Administration, $300 billion. So that is $8.5 trillion put at risk so far.

The question is, where is the accountability? Where is the oversight? Where is the regulatory schematic that says we are not going to allow this to happen again? I come from ranching country, southwestern North Dakota. We raise cattle and horses. I understand the notion about closing the gate. You cannot forget to close the gate. Nobody is closing the gate—nobody. I want to remind some folks that part of the origin of this goes back almost 10 years to the Financial Modernization Act. We were hopelessly old-fashioned, we were told. Senator Gramm from Texas led the effort. It was the Gramm-Leach-Bliley financial modernization bill. There were restrictions in place, such as Glass-Steagall and others, relative to investments in real estate and securities. They said let's get rid of those restrictions. They are hopelessly old-fashioned. So Congress got rid of all those restrictions. President Clinton signed it. A good number in his administration supported getting rid of those restrictions. I was one of eight Senators on the floor of the Senate who voted no. I said I think we will see massive taxpayer bailouts within a decade. When you put together real estate, securities and insurance with banking, you are asking for trouble. By the way, add to that a new administration that came in and, for the last 8 years, said we are interested in being willfully blind with respect to regulation. So the Financial Modernization Act was passed, and it was let them do what they want. They loaded up companies with massive amounts of risk.

One other thing, and I have described this before. I want to remind people. This is Countrywide, the biggest mortgage bank in the country. They told people this: Do you have less than perfect credit? Do you have late mortgage payments? Have you been denied by other lenders? Call us. They said: Come here if you have bad credit. We will give you a loan.

Milennia Mortgage said: 12 months, no mortgage payments. That's right, we will give you the money to make the first 12 months' payments. We will pay for it.

Here is Zoom Credit: Credit approval is seconds away. At the speed of light we will preapprove you for a loan. Even if your credit is in the tank, Zoom Credit is like money in the bank. We specialize in credit repair and debt consolidation. Bankruptcy, slow credit, no credit, who cares. Come to us.

They will all be making a fortune. Mr. Mozilo ran Countrywide, and he left with $200 million when the whole thing collapsed. They said: Get a loan from us. It is called a subprime loan. It is called a no-documentation-of-income loan, or a no-doc loan. If you want a no-doc loan, we have it. How about a loan where you don't have to pay any principle at all? Or, even better, you don't have to pay on the principle or even all of the interest. We will put it on the back side of the note. Isn't that unbelievable? Why did they do that? They were making a massive amount of money. They put these loans out, and then they would securitize them and slice them and dice them like sawdust in sausage and then sell them up the line. The mortgage banks sell them to a hedge fund, or an investment bank sells it to a hedge fund. They are all making big fees, grunting and shoving like hogs in a corn crib, massive amounts of money, big bonuses.

They built a house of cards. Meanwhile, regulators are dead from the neck up, content to be willfully blind. The house of cards began to collapse. When it began to collapse, it caused a significant problem with this entire economy. As I have described, millions of people lost their homes, millions are out of work, and there will be more in the future. Unfortunately, the question is, What do we do next? I am all for doing emergency things, and I believe it is very important to do as President-

elect Obama has suggested. You need to invest to try to get the economy moving again. It makes a lot of sense to me to invest in the kinds of things that produce an asset for the future. We should build roads and bridges and repair infrastructure and schools and libraries and water projects—the kinds of things that invest in this country's future—because all of that puts American people back to work, on payrolls. And when people are working again, people are consumers again and they are going into the stores and creating an economy that is vibrant and expanding once again. That is what we have to do.

There are more things I think that would make some sense, and one of the things I think, in addition to the stimulus program the President-elect is talking about, which I intend to be very supportive of, are some tax incentives we should also consider. These things, if you put an end date on them, if you make these investments before the end date, they can stimulate economic activity in the short term. For example, a temporary 15-percent investment tax credit for manufacturers and producers in order to buy crucial equipment and machinery purchases; extending for 18 additional months enhanced 50-percent bonus depreciation; extending enhanced $250,000 business expensing—all of these things are incentives to say, in this case to businesses, if you make this investment now, there is a tax incentive for doing so.

That is also what tends to kickstart this economy—a program that would provide an opportunity for a stimulus investment and a program of directed tax incentives that would get this country moving once again.

Mr. Arthur Levitt had a piece in the Wall Street Journal a while back titled ''How to Restore Confidence in Our Markets. A Unified Regulator Would Be a Start.'' Let me quote it for a minute.

> Our Nation's financial markets are in the midst of their darkest hour in 76 years. We are in this situation because of an adherence to a deregulatory approach . . . Our regulatory system failed to adapt to important, dynamic and potentially lethal new financial instruments as the storm clouds gathered. Trust in our institutions and faith in the system are . . . imperative to the functioning of our markets. Creating a regulator that stands on the side of investors and oversees the broad market will help restore that trust.

We don't have a choice. We cannot continue to allow that which has happened in the past to happen in the future. Yet there is no urgent discussion here about what kind of regulation is necessary. He talks in this piece about the new financial instruments. What has happened in recent years is we have a lot of financial engineers on Wall Street who create these exotic products. It is all about making money. They create all these exotic products that turn out to be unregulated, many of which you cannot even understand. The question is, are we going to continue to allow that or will we do something that requires a reform of that system.

I think we need a financial reform commission that would report back in 6 months on how you reconstruct this system, because we can't continue to allow the system that existed to exist going forward. We have to make changes; otherwise we will be back here in another decade with the same kind of problems.

Obviously, we have to pull this country's economy out of the hole. There is no question. That is going to be a hard lift, but I am convinced this country will do that. And it won't be so much what happens in this Chamber as it will be out in the country. I have described previously many times that this economy, in my judgment, is all about confidence. When the American people are confident in the future, they do the things that manifest that confidence. They buy a suit of clothes, they take a trip, they buy a car or buy a house. They do the things that represent their confidence in their job, their family, and their security. That is the expansion side of this economy. It is very hard for people to be confident right now in this economy and in the future. We have to do the things that will say to people: You can be confident. We will stop the hemorrhaging of job loss, we will put in place regulations to make sure this never happens again.

We have to find a way to make these reforms and changes that are significant and will give people some confidence about the future. The things we have seen over a long period of time are pretty disgusting. I have described on the floor of the Senate one of the companies—I know one should perhaps not always use company names. I try not to, but from time to time it is worthy to do so. One of the companies that got in trouble here was a bank called Wachovia; a big bank, as a matter of fact. They loaded themselves up with lots of bad assets and had to be purchased. They got in a lot of trouble. Well, you know what, this wasn't the first time. Wachovia, at the same time it was loading up with bad assets, was buying sewer systems in Germany.

Now, why would an American bank want to buy a sewer system in a city in Germany? Why? Because they did a sale-leaseback. They bought a sewer system of underground sewer pipes in a German city and leased the pipes back to the city. So there was never any change in the way the sewer was used, but it allowed an American bank to depreciate sewage pipes in a German city and save themselves hundreds of millions of dollars on their U.S. tax bill.

You know, if you have that kind of mindset going in, it is not surprising to me you are going to buy a bunch of bad assets in pursuit of maximum profits. If your pursuit of profits as an American company is to buy a sewage system in a German city, it is not surprising to me that they ran into the ditch with bad assets. It is the kind of thing that destroys any confidence people have about this system of ours.

This economic system has been a miracle. This economic engine of ours has been the envy of the world. But we simply can't continue in the direction we have seen in recent decades. It is not all one party's fault, for sure, but those who have counseled self-regulation of some of the biggest financial institutions in this country have done the American people no favor. Regulation is necessary with respect to the marketplace. That's just a fact. I know of nothing more important to allocate goods and resources than the marketplace. And I am a big advocate of the free market, but the free market needs a regulator. It needs someone who wears a striped shirt with a whistle and calls the fouls. What we have seen is some of the biggest financial institutions in this country engage in the most reckless, bizarre behavior I have ever seen. Now the American taxpayer is stuck with the bill and the economy is in the ditch, and we are trying to figure out how to pull it out.

Let me conclude by talking for a moment about the automobile industry. I want to show a chart. This chart shows what has happened to auto industry sales this month versus the same month a year ago. General Motors is down 41 percent, Ford down 31 percent, Nissan down 42 percent, Toyota down 34 percent, and Honda down 32 percent. As I indicated earlier, I am not a big fan of the automobile industry. I don't think they have been particularly innovative or on the cutting edge in some areas. I think in some areas they have made some real progress. But I think it is very difficult, when you go into this kind of economic trouble with a pretty weak balance sheet, and then face the loss of 40 percent of your product sales, to then skate through that. So the question is this: Does this industry matter to the country? I don't think you long remain a world-class economic power unless you have a world-class manufacturing capability, and a significant part of that capability in this country is in the automobile industry.

I am not someone who would support saying: Yes, let us provide money to the auto sector, such as the money that has been provided to the financial sector. This is a small fraction of what has been provided to the biggest banks in the country, with no strings. We have not seen one of those people in front of a committee being questioned about how they got here, what airplane they took to Washington, DC, who is going to lose their job, who is accountable, how much of a bonus did you get, and how much do you want for next year. None of those questions for the big financial industries. But the auto executives have been here and they have been told there is no bridge loan for you unless there are specific plans, a roadmap, of how you are going to get out of this.

The only question I ask is this: In a country where we have lost nearly 2 million jobs since January of this year, and are teetering on the edge of a cliff with our economy, if we see a bankruptcy, or a series of bankruptcies here, and we see 2 or 3 million more people on the unemployment rolls, what does it mean to this economy? How much deeper will this recession be? How much more difficult will it be to pull this country out of a steep decline? That is the question.

When Secretary Paulson came to us saying he wanted $700 billion in 3 days, I was one of those who said no, and I am glad I did because I don't think that money has been used appropriately. I don't think there is any accountability or transparency with respect to the use of that money. That has to change. We are going to decide in the coming couple of days whether we are going to do something here with a bridge loan for the auto industry, with substantial conditions. And if those conditions are appropriate, I believe there is a road to a better future for this industry. I want us to come down on the side of preserving millions of jobs. But that responsibility rests with this industry to give us the plans that provide us with some assurance and some confidence about the future.

These are extraordinarily difficult times. When I started, I talked about a debate on Wall Street once again about $10 million bonuses for a failed firm executives. Imagine, there is no culture change here when we have had the kind of financial wreckage that exists in this country, and a company that lost $11 billion last year has a CEO asking for a $10 million bonus. I ask: Have you lost all common sense? Are you totally disconnected from the world? It makes no sense to me. We have to have a deep reservoir of common sense in the way we deal with these issues if we are going to get through this, and I believe we will get through this.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. SESSIONS. Mr. President, I am worried about the process we have been undergoing here in the Senate in recent weeks, and I expressed that concern. I know Senator DORGAN indicated he voted against the $700 billion bailout, and I did, too, for a lot of reasons, one of which was I thought it was unthinkable that the Senate, the one body in this Government that is supposed to look at the long-term effect of a piece of legislation on America, was stampeded. I think my colleague from Alabama, Senator SHELBY, said we panicked and we threw $700 billion at one man, the Secretary of the Treasury, and basically allowed him to utilize it in any way he chose, although he told us explicitly that he desired to use it to purchase toxic assets—that is, bad mortgages—from banks so those banks would not have the economic threat of a bad mortgage on their books and could be able to lend money and this would fix the financial crisis. There was a superhighway and a big truck laying across it, and all we had to do was get this truck off and the financial markets would be open again. Within a week or 2 weeks, Secretary Paulson had changed his mind. Directly contrary to what he told us he wanted to do, he bought stock in 10 banks at hundreds of millions of dollars, the likes of which this country had never seen before, and we never talked about that one bit in the Senate.

Mr. President, $700 billion is an incredibly large sum to commit this country to. I hope we will get most of it back. I do not believe we will get all of it back. I hope we at least get some of it back. But I would note to my colleagues that 5 years of the Iraq war cost this country $500 billion. In a few days, we authorized $700 billion. But it really was not just $700 billion because they had added in there a lot of pork items. This followed appropriations for $25 billion in loans for the automobile companies that was included in the Continuing Resolution in September, which was hardly even discussed. It was put in the bill, to my knowledge, with virtually no real discussion in the Senate about how to help them transition their plants to make more energy-efficient automobiles—just tacked it in there.

But you remember the fear if we didn't pass the bill the first day they brought it up. It had to be passed before the Asian markets opened the next day. It didn't happen. We went a week or 10 days later, and the world didn't collapse. We finally passed the thing, and a lot of people have doubts whether it has helped much at all.

Regardless, I just would say that this Senate has responsibilities to the taxpayers of America. When we are talking about tens of billions of dollars or hundreds of billions of dollars—the largest expenditure of funds on any one project in the history of this Republic, $700 billion—we need to ask ourselves what this means. One of the things it means is that everybody else will want to get into the act. Before the ink was dry on that, here come the automobile companies.

Let me say briefly, Americans are going to have to think about this. After 9/11, we had a little stimulus package—it was little compared to the one we have now—but we sent out checks then. The economy was in a state of nervous exhaustion and a spasm of economic disturbance. Our deficit hit about $412 billion in 2002. I think that was the highest deficit in dollar terms this Nation had ever had. In the ensuing years, through fiscal year 2007, the deficit fell to $161 billion. Then, earlier this year, it was decided it would be a good idea to have another stimulus package, and we sent out these hundreds of dollars in checks to all Americans. It was about $100 billion, a little over $100 billion. We just sent out the checks, and that was supposed to help fix the economy. In that economic slowdown, this September 30, when the fiscal year for 2008 budget was ended, the fiscal year, the debt was $455 billion—the deficit, for one year.

What is going to happen next year? Without counting the $700 billion as a loss to the Government, experts are now telling us the deficit will exceed $455 billion. It will exceed $1,000 billion—$1 trillion. But we have to pass another $34 billion or $15 billion, or whatever the number is, right now because we have to act. We cannot ask too many questions, we cannot have too much debate because things might happen fast, and if we do not act you will be blamed for a company failing. I wish to say that somewhere along the line this Senate is the body that is supposed to ask the questions and slow this train down and actually go through the details and figure out what to do.

But I know my good friend Senator REID, who has the toughest job in Washington—they have all been meeting with the Banking Committee and the automobile industry and the White House and special interests and labor unions—all through the weekend, they say. They didn't invite me. They didn't invite a lot of other Members of this Senate. So today they plopped down a bill that is supposed to move forward with a temporary fix of $15 billion, and we are supposed to say thanks for saving us so much. One of our Members has said we have to do something in a hurry; we have 48 to 72 hours. Why 48 to 72 hours? We have plenty of time, if we want to, to work at this thing.

I know you have heard this statement, that bankruptcy is not a good way for the companies to go. Most people, when they think of bankruptcy, think of chapter 7 in bankruptcy, which is a liquidation of a company and its assets. All the people to whom that company owes money come in and line up, and the bankruptcy judge sells all the assets and parcels out what money is left—usually not very much—to those claimants.

But there is another very common bankruptcy procedure called chapter 11; it is called reorganization in chapter 11. You have heard the phrase ''They sought protection in bankruptcy.'' If you file for bankruptcy under chapter 11, your company continues to operate. Delta Airlines—I flew them yesterday—Delta Airlines in 2005 was in bankruptcy for over a year. They came out of bankruptcy leaner, having confronted many of their difficulties. They actually bought Northwest Airlines. They are doing very well today. They didn't disappear. They didn't lay off all their workers. They

didn't shut the airline down, they continued to operate. The automobile companies, if they seek reorganization and protection under chapter 11, will then be in a position to confront their excessive legacy costs to deal with contracts that are pulling them down.

I think it was Mitt Romney whose father, in Michigan, was active in the automobile industry. He wrote an op-ed, and he calculated—others have used a similar figure, but I remember his—that an average American automobile is carrying a $2,000 legacy cost, the cost that is a burden on them and keeps them from being competitive in the marketplace. How do you get out of that? They say we will meet and we will talk about it and we will appoint a czar and that czar will make these companies concede these contractual provisions. But contracts are not something you have to concede. A contract is a binding document against the company or against an individual. An individual doesn't have to concede that contract, and many of them may not. Many of them will say: You guys can concede. You can cut your salaries, unions, but I am not cutting my health care benefits because I retired 10 years ago, and I still expect a health care benefit that exceeds 95 percent of the American workers' health care benefits today; I want mine kept. Who is going to make them give that up? It cannot be done voluntarily. What about a dealer and other groups, leaseholders who have claims against these companies? Why should they give up?

But in bankruptcy, the whole purpose is to create an environment in which a judge can make some decisions about what it is going to take to save the company, to save the jobs. The judge has the power to amend these contracts and to say: The only way this company is going to survive is you health care guys are going to have to give some; you salaried people are going to have to give some; you executives are going to have to give some; the dealers are going to have to give some. Otherwise, this company is going under. They have witnesses, they take testimony, and they all have the right to have their lawyer there and to present evidence. It is under oath, in detail, subject to cross-examination. Certified financial statements have to be produced. All of these things happen in bankruptcy. At the end, a bankruptcy judge, after hearing all of these arguments, will have as his or her goal the creation of a bankruptcy order that will allow the company to operate and to keep operating, keep making cars. They will not have to stop making cars during this whole process. They will continue. But if people cannot make claims against them, they can't file lawsuits. All the lawsuits against the companies, if they can't pay their debts, are stayed. It all stops. Nobody can levy against any of the property until the bankruptcy judge says so. I am amazed we are not going in that direction. For some reason, it seems that certain interests are objecting to the normal course of how a company should go about dealing with financial problems.

I also believe a responsible Senate should be taken aback about the way this has all come about. First, $25 billion was slipped in to help these companies move to more fuel-efficient automobiles—that program. But the automobile executives came back a couple of weeks ago, about 2 weeks ago, and they asked for $25 billion on top of that—$25 billion more. They say: Just take it out of the $700 billion. We are not able to access this $25 billion you have already set aside for us. We have to do certain things on environmental issues, and we are not able to access that now. So if we want to do that—and we need $25 billion. They flew in in their big jets. They didn't have any kind of coherent plan. Congress and the American people were aghast. They couldn't imagine this $25 billion.

My State of Alabama is about an average size State—4 million people; we have 7 Congressmen. As I recall, our basic budget for the State is $6 billion or so a year, and that includes education and everything else a State needs. So I would say to you, $25 billion or $34 billion is a lot of money.

These executives go home chastened, and their advisers whispered in their ears: You guys have to be humble. Don't you understand? You were too arrogant. You have to go up there—you can't fly. You have to drive up in your fuel-efficient automobile before you go back to Congress, and grovel a little bit, tell them you did something wrong. If you tell them you did something wrong and grovel and act humble, maybe you can get the money.

So what did they do? They came back and they groveled and they say they made mistakes and they are so sorry. They want $34 billion. How humble is that?

What the problem is—President-elect Obama said it: We want to make sure the money we are putting into this company is worth something. It is not supposed to be a gift, it is supposed to be a loan.

Once you start putting money in a sinking company, as any banker will tell you—they refer to it as putting good money after bad—the more money you put into a corporation, the deeper they have you. You are the one who is hooked. You are the one who is stuck now because you are in $25, $34, $50, $100. What about if we just have another $50 after this $100, and maybe we will make it. If you don't help us with another $50, you are going to lose the hundred—right? That is how these things go. That is the way bankers look at this situation, and they will not loan them the money. Bankers are not going to loan them the money because they are too worried about it. The numbers don't add up. Since the bankers will not loan them the money, they want to come to us and get us to loan them the money and take risks a reasonable banker would not take.

Somebody says: Maybe it will not be a lot more than that; maybe this will be enough. It is pretty clear that nobody says the $15 billion would be enough, what we are apparently going to be asked to look at with the bill that was just plopped down a little while ago. But at the Banking hearing last week, an independent analyst predicted that it would be $75 billion to $125 billion to avoid them going into bankruptcy.

So if they are going to go into bankruptcy, how much money do we need to help them avoid that? Well, this analyst said it would be $75 to $125 billion. That is a lot of money. Maybe they should go into bankruptcy first, and then maybe we could see what the real facts are and have a judge and a hearing and evidence taken and decisions made. Maybe tough decisions could be made and maybe the Government can help a little bit and help them come out of there and keep these companies going at a reasonable price.

So I would certainly like the competition. We certainly want these companies to be successful. But it has to be done consistent with the value and principles of America.

There is no reason for us not to assume that we are going to be asked for more and more money to keep these companies alive under the circumstances we are in today.

I would ask a couple questions then. First, what certainty do we have that they will not be asking for many times the amount of money that is being asked for today? I think we are virtually certain. We know there is more. Within the bill, I would note, is a statement that we are authorizing—it is not putting up the money yet, it is a big step toward it—we are authorizing the full replenishment of the $25 billion fuel efficiency loan program.

So the $15 billion that comes out, we are authorizing it, to put in more. The way the language is written, it is pretty clear that it goes further than that. What it does is it authorizes, on page 3, excuse me on page 11, the Secretary of Treasury—''is authorized to be appropriated to the Secretary of Treasury sums as being necessary for the purpose of replenishing the funds available to the President's designee under this section.''

So first of all it says: Yes, we take the $15 billion out of the existing loan program, but we are putting it back in immediately. The $700 billion is not reduced, neither is the $25 billion we have already appropriated. Both of those have already been authorized and appropriated. We take this money out and we put every penny of it back in this same bill. A little slight of hand there; is it not? Sounds like it to me.

Then it goes on to have other language that indicates, the way it is written, it authorizes up to another $25 billion. So authorized in this bill, I think it is fair to say, based on our reading of it a few moments ago, since it just now appeared, that we are talking about $49.5 billion being authorized

for this problem. That is a lot of money.

It is somewhat different than the pitch that all we are doing is putting up $25 billion or $15 billion. And they are at least honest about this. They say the $15 billion is just a bridge loan, and that at least by March they will be back asking for more. How much more, $75, $125 billion, without once having to submit themselves to the rigors of a reorganization process that current law provides for big corporations and little ones in America under chapter 11.

Now, the legislation calls for the appointment of a car czar. That is what they are calling it. It says this about the car czar. The guy is supposed to be able to meet with these executives, many of whom have spent their lives in the automobile industry, and it is going to tell them that: This is not a good idea. This is a good idea. Yes, you can do that. No, you cannot do that. We will not give you money unless you do such and so and tell them how to run their business.

This is what it says on page 3, section 3:

> The President will designate one or more officers of the Executive Branch, [a Federal Government bureaucrat] having appropriate expertise in such areas as economic stabilization, financial aid to commerce and industry, financial restructuring, energy efficiency, and environmental protection, to carry out the purposes of this Act, including the facilitation of restructuring to achieve long-term financial viability of the domestic automobile manufacturing industry, and who shall serve at the pleasure of the President.

Which means the new President will remove the one President Bush puts in, I presume, and put another one, or certainly have the authority to do so.

> This designee shall direct the disbursement of the bridge loans or enter into commitments for lines of credit for each automobile manufacturer that has submitted a request.

Well, does it say anything about the person that is going to tell these companies, you know, we are going to tell them how to do this right? What would you tell them? Would you tell them: We are never going to make anymore big pickups, cancel all SUVs, put all your money into hybrid cars. We do not know how well they are going to sell and how people are going to continue to buy them, but you can only use the money for these kinds of things.

That is a dangerous action for a politician to do. It is odd to me that the provisions of the act call for expertise in financial aid to commerce and industry, environmental protection and energy efficiency and not one requirement that the person knows anything about the automobile industry. I know I do not know much about it. I do know this. My father ran an International Harvester, a little town dealership, hardly made a living for us. I worked in his shop. I was a parts person in his office. He only had four or five employees. They squeezed him out because he was too small, lucky to get out with his shirt.

I was in high school. I remember that vividly. Well, certain things are not financially doable. He was not able to continue to operate an International Harvester truck and tractor dealership when he could only sell to so few customers, that he could not maintain the parts and the mechanics and the equipment necessary to maintain a viable business.

Things change. He did not ask for a bailout. So the person who is supposed to be working on this is not required to have any knowledge whatsoever of the automobile business but is going to tell them how to run it, apparently. It looks like, does it not, that this would give another unelected official the ''maximum flexibility'' to appropriate taxpayers' money as they see fit.

Is this not the same mistake we made with the Secretary of the Treasury when we gave him $700 billion to parcel it out to his friends on Wall Street, however he felt like giving it.

Now, the jobs bank, which is a very perverse problem the automobile industry has. It was an agreement they made that would pay employees up to 95 percent of their pay not to work. If they have been laid off, they get 95 percent of their pay. It defers health insurance payments. Unions have said they would make concessions. That has been touted about. But they were only temporary concessions that the union has made on this. I am not sure what power a union has to tell a company that you no longer have to pay an employee who agreed by contract to pay him 95 percent of his salary. How can they abrogate that contract? You can do it in bankruptcy. You cannot do it by voluntary agreement.

So I have my doubts about how this can be fixed short of a bankruptcy. So I would ask: How can we reach an agreement that would bind the union or any other group that has contracts with the automobile industry to follow those agreements?

I ask this question, even supporters of the deal admit that a bankruptcy may still be needed in the end. So does not this multibillion dollar bailout just delay actual productive restructuring? Is it not just a delay? I am afraid it is. It absolutely is unless we put more than $15 billion in, because with $15 billion, everybody knows that is not going to be enough to keep them liquid throughout the next year. It is pretty well conceded. So are not we delaying the inevitable?

I would also add, experts agree that to be successful, everyone makes concessions, must make concessions. So what concrete steps does this legislation require of creditors, suppliers, unions or automobile dealers? It does not require any. I will answer that.

Also, the legislation calls for the development of a long-term structuring plan by the end of March. Doing so would require that various groups agree. Why do we think they will be able to accomplish this 3 months from now, when they have not been able to accomplish it in the last 3 months? How can these parties be forced to agree when they hold valid contracts for the automobile companies?

Now, as I indicated earlier, we are taking a big risk without ensuring that reform is going to occur that would make these companies viable. Everyone knows major restructuring needs to be done, that they need to emerge from this process, as I say, as Delta did from bankruptcy, chapter 11 reorganization, leaner, more competitive, keeping their employees, giving them a future, providing for their retirement and health care as they committed to do but to be able to shed unnecessary costs that had the danger of sinking the entire ship.

So we know that a banker today would not make a loan to these companies under these conditions of vague promises of improvement in the future. You think they are not telling their bankers: Oh, we are going to make progress, if you just loan us money. Companies know more than that. They want some assurance. We represent the taxpayers of America. Should we not be more concerned about the assurances too?

So we do have a regular order—I will conclude with this remark—a regular order in America. If a company gets to the point where they cannot meet their payroll, and they cannot pay all their debts, because they have a liquidity, a financial cash flow problem, the procedure is perfectly simply, you seek reorganization, you seek protection under chapter 11 in bankruptcy.

The company continues to operate, the employees continue to be paid, and, in fact, one of the highest, I believe the highest, priority of a bankruptcy judge is to see that the employees are paid. That is the first thing that comes with the limited money in a company that is in financial problems, is to pay the workers for their work, and throughout that process the company can be reorganized. Witnesses are under oath, can testify to the real facts that we in Congress have no capability of ascertaining, and they will be able to present evidence that sheds light on some of these matters. The unions would have their lawyers, the dealers would have their lawyers, the suppliers would have their lawyers and argue a case and a judge is going to have to say: Mr. Supplier, you are going to have to take 75 percent of what they owe; they cannot pay you the whole amount. We have to keep this country going. Mr. Union, you are going to have to accept less. Mr. Dealer, you are going to have to accept less. Then we will try to pay this back once we pare this company down and get it leaner and more efficient and more competitive and we are going to send it out there and we believe we can make this work.

But if you liquidate the company today, you are not going to get half of what you are owed. You are not going to get a fraction of what you are owed.

That is not the right thing. The whole motivation for a reorganization of procedure under chapter 11 would be to save the company, to save the jobs and save the industry. This Senate has no business trying to act as some sort of super bankruptcy judge in a reorganization. Our action in sending out money enables the continuation of bad behavior. It pretty closely approximates that psychological syndrome called enabler where the person who is drinking too heavily, instead of confronting the problem, the person's problem, you give them more money which allows them to continue to drink and they don't confront their problem and the problem continues to get worse.

It is time to confront the problem. Let's save this industry, and let's do so within the legal procedures the Nation has. And at some point if we can help them financially, let's do so. But we need to be sure, on behalf of the taxpayers, that we know exactly what the circumstance is, that a full examination of these companies has been undertaken. The idea of giving them billions of dollars based on a very poor statement of need is not acceptable to the people of the United States.

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

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

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. CARDIN). Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I was in error earlier in saying that there was a $15 billion line item in this legislation that we saw. In looking at it with my staff, basically this legislation, if it were to pass, would authorize the expenditure of $25 billion—really $24.5 billion—to the car companies. It also at the same time states that even though that money is coming out of the energy efficiency $25 billion, it also says that $25 billion will be available for expenditure in addition. So that is how I would say that as we read the legislation, it is an authorization of over $49 billion, in reality, to the automobile companies. It would take an additional appropriation for $25 billion, but that would be a single step instead of the normal legislative process. It enhances the ability for that to be expended. I think that is a correct statement. There is no reference, as has been discussed in the papers, about $15 billion. But it authorizes the full 25.

It says: There are authorized to be appropriated to the Secretary of Energy sums as may be necessary for the purpose of replenishing the funds made available to the President's designee under this section. It also says: No provision shall be construed to prohibit or limit the Secretary of Energy from processing applications for loans under the section. That is the existing $25 billion. So they still will get the loans under the $25 billion plus the other. I think in all fairness, the way we read this is a $49 billion authorization, not 25, and certainly not 15.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia is recognized for 10 minutes.

TARP

Mr. WEBB. Mr. President, I rise to talk about our foreign policy. Before doing so, I wish to point out that I have spent the last 2 hours presiding and listening to a number of very strong statements with respect to the automobile bailout and also the proposal that there be some action to limit the next tranche of $300 billion to come on the TARP program. I associate myself with the remarks of the Senator from North Dakota on those issues. We had a pretty hard vote on October 1 with respect to the TARP program. I was among the overwhelming majority of people in the Senate who voted to go ahead with this program, after the assurances of this administration and the people who had been negotiating on our behalf about the danger that the world economy was in, the prospect of a cataclysmic effect if we did not do something.

I am going to look very hard at this next tranche. We should all recall that the program that was voted to go forward was a program that was going to address the situation of toxic assets. The concern that I and many others had about giving one individual the authority in the executive branch to use these funds in a way that did not have a substantial oversight was borne out over what has happened. There is a very high bar that will go forward before I personally would vote in favor of continuing to allow the Secretary of the Treasury in an outgoing administration to be dispensing these types of funds so close to the approach of a new administration.

AUTOMOBILE INDUSTRY BAILOUT

Mr. WEBB. Mr. President, a lot of comments have been made about the automobile bailout. We are in a situation, because of the extreme effect on our entire economy over the past several months, where there is a legitimate issue of cashflow rather than the innovation or lack thereof that has gone into the automobile industry. I am favorably disposed to supporting this loan provision, which is what it is, if the right requirements are placed in the proposal. I should point out, for all of the information that has gone back and forth over the past 2 hours, the irony that Senator DORGAN mentioned, that the chief of Merrill Lynch is today arguing for a $10 million bonus for a company that had a loss of almost $12 billion last year. That is a private company. I won't pass any commercial judgment on that. But it does stand in stark contrast to what the CEO of Ford has proposed, going to $1 a year, if we can inject some cashflow into their business to attempt to get them through this period and back into a situation where they can properly manage their future.

FOREIGN POLICY DEVELOPMENT

Mr. WEBB. Mr. President, I wish to discuss another issue I have had a great deal of concern about for many years, particularly since the time I came to the Senate. That is the role of the legislative branch in the development of foreign policy and the abrogation of the legislative branch during this past administration when it comes to foreign policy. Over the past nearly 8 years, the executive branch has been a runaway train. Unfortunately, this isn't simply the Bush administration. It also is the policies that have come out of the Department of Defense and the Department of State. We have observed over the past year the negotiation of a future relationship with Iraq that has gotten almost no attention in the Congress. This is not simply a SOFA, status of forces agreement, as we have seen in dozens of other countries around the world which are implemented pursuant to our legal authority to be in those countries. This also is a strategic framework agreement, a document which defines our future relationship with Iraq, which in Iraq had to be approved by their Cabinet, by their Parliament, and now will be subject to a plebiscite and which, in the United States, simply has been approved by the signature of one individual out of the Department of State.

I was among many who began expressing my concern about this a little more than a year ago. I believe it is stark evidence of how the legislative branch, the Congress, has abrogated its constitutional responsibilities in the area of the evocation of foreign policy.

I am going to put a map up in the Chamber. It is a very busy map, but I want to take time to explain something else. I think it is very important for my fellow Senators and people over in the other House of the Congress to understand the implications of what has been going on in Afghanistan.

We have heard throughout the Presidential campaign that we should be focusing our energy away from Iraq and into Afghanistan. We have been having these types of discussions without the articulation of a clear strategy. We are moving to the point where we are soon going to have at least 60,000 American troops in Afghanistan.

When I was there as a journalist in 2004, we had about 10,000 American troops in Afghanistan. It is going to be very important, as the new administration comes in, to impress upon not only the administration but individuals in the State Department and the Department of Defense that they must come forward with a strategy that will

enable us to know when the end comes. You do not have a strategy if you cannot articulate the end point.

We have another very serious problem with respect to our presence in Afghanistan, and that is all of the logistical lines into Afghanistan are in areas that could cause the United States great concern.

This—I am going to draw a circle around it on this busy map—is Afghanistan right here. Afghanistan is a landlocked country, as everyone in this Congress surely knows. The supply routes into Afghanistan are principally through Pakistan: from Karachi up into Peshawar, through the famed Khyber Pass, which caused the British such problems and difficulties more than 100 years ago, in through the mountainous areas of the federally administered tribal regions and the Northwest Frontier Province very lawless areas where al-Qaida and the Taliban operate heavily. So 80 percent of the supplies that go into Afghanistan go via land through Pakistan.

To the north, Uzbekistan has indicated it probably will not allow alternate supply routes if problems occur in Pakistan. Iran, obviously, is not going to allow supply routes to go in to supply our troops in Afghanistan, which leaves Turkmenistan. Turkmenistan is very close to Russia, which we have been in very difficult relationships with, particularly since the incidents in Georgia last summer.

So what does this mean? There is an old saying—Frederick the Great, supposedly, was the first to say it—and that is: Without supplies, no army is brave.

If you look at this route in Pakistan, over the past 6 months this is what has happened:

In March, there were attacks in the Khyber region that set fire to 40 to 50 oil tankers. These are convoys that are not protected by the American military because the American military does not operate in combat areas in Pakistan. So in March: 40 to 50 oil tankers.

In April, Taliban raiders stole military helicopter engines valued at $13 million.

In November, 12 vehicles were hijacked near the Khyber Pass. Two humvees were included in the hijackings.

Last week, 22 more vehicles were destroyed at a truck stop between Peshawar and the Khyber Pass.

Yesterday, 145 vehicles, trailers, and containers were destroyed in a warehouse just outside of Peshawar.

Today, there was a separate attack at a shipping terminal near Peshawar which destroyed 50 trucks carrying containers.

This is millions and millions of dollars worth of equipment in an area where we in our present policy cannot provide military security. We have Pakistani security forces, we have Pakistani truck drivers, and we are in a very delicate relationship with Pakistan itself.

I am hoping that in this type of situation, where 80 percent of our cargo is coming in through Pakistan, and where our ability to resupply our military from other areas depends on our relationship with Russia, that our new administration and the leadership in the State Department and the Department of Defense will take a very hard look at how many military people we want to have in Afghanistan, what it is we want them to do, how we are going to resupply them, how we are going to conduct our relationships inside Pakistan, what our alternatives might be if those convoys continue to be interrupted, and, finally, how we will know when we have concluded our strategic purpose in this part of the world.

With that, I yield the floor.

TRIBUTE TO SENATORS

TED STEVENS

Mr. MCCONNELL. Mr. President, I rise once again to honor a distinguished colleague and the longest serving Republican in the history of this body, Senator TED STEVENS.

I said it this morning. I will say it again: In the history of this Nation, no one man has done more for one State than TED STEVENS—no one. His commitment to the people of Alaska has been as constant as the Northern Star. And the list of things he has done on their behalf in a remarkable 40-year career is as vast as the State itself.

Today we remember that legendary service, and the man who achieved it.

Born in Indianapolis 85 years ago this week, TED STEVENS made his mark early. At 19, he was flying C–46 transport planes over the Himalayas in support of the legendary Flying Tigers. His appetite for adventure took him to Oregon and Montana for college, and then to even more exotic places as a pilot in the Army Air Corps. For his bravery, TED would receive a Distinguished Flying Cross and an Air Medal. It was the first of many, many honors.

A decorated war veteran by his early-twenties, TED returned to California to resume his studies, and later enrolled at Harvard Law School. After law school, TED came to Washington, married a girl named Ann, and then set out on a new adventure in the vast expanse of the Alaska territory.

He would go on to devote the rest of his life to helping the people of Alaska achieve the same rights and privileges that those in the lower 48 took for granted. And today, the name TED STEVENS is synonymous with the State he loves. It always will be.

Who else can say that they helped draw the borders of the State in which they live? Well, TED can. As Senator MURKOWSKI put it: ''for forty years, TED STEVENS has been Alaska.'' He was there at the creation. And an entire generation of Alaskans have grown up not ever knowing the Senate without him.

TED will tell you he works so hard because there is so much work to do. Alaskans don't have the benefit of centuries of infrastructure and planning that much of the rest of the country does. Of the giant State's more than 200 villages, only a handful had running water when TED came to the Senate. Thanks largely to him, roughly half of them do now.

No one has done more for the U.S. Armed Forces than TED STEVENS. He secured funds for the F–117, to replace Air Force One, for unmanned aerial vehicles like the Predator and Global Hawk, and for a replacement Coast Guard icebreaker and the F–16 program. TED was instrumental in ensuring funds for early military research on everything from breast cancer to AIDS.

TED STEVENS once said:

> They sent me here to stand up for the state of Alaska.

For 40 years, he fulfilled that charge with passion and purpose. And the Senate will never forget TED STEVENS.

GORDON SMITH

Mr. BUNNING. Mr. President, I would like to honor my friend and colleague from Oregon, Senator GORDON SMITH.

I have worked with GORDON since coming over to the Senate in 1998. It has been an honor and privilege to serve on both the Senate Finance Committee and Energy and Natural Resources Committee with him. GORDON has a long list of accomplishments to show for the people of Oregon and the Nation. He has served the people of Oregon well, and I know they are proud to call him one of their own. His leadership in the Senate will be missed, and it has truly been an honor serving with him.

I thank GORDON for all of his contributions to the U.S. Senate, and I wish him and his family the best of luck in their future endeavors.

ELIZABETH DOLE

Mr. President, today I pay tribute to my distinguished colleague from North Carolina, Senator ELIZABETH DOLE, who will be retiring from the Senate at the conclusion of the 110th Congress.

I have worked with Senator DOLE since she was elected to serve the people of North Carolina in 2002. I have also had the privilege of serving on the Senate Banking Committee with Senator DOLE. She has dedicated her adult life to serve her country proudly. Senator DOLE has had the distinct honor to serve in several capacities such as Deputy Assistant to the Nixon administration for Consumer Affairs, as a member of the Federal Trade Commission, Secretary of Transportation under President Reagan, and Secretary of Labor under President George H.W. Bush. Her heart and character can also be summed up by her work as the President of the American Red Cross and the impact she has had, on not only the lives of Americans, but also those abroad. A person of that caliber will be missed in the Senate.

I am honored to know her and to have worked with her. I would like to thank Senator DOLE for her contributions to the Senate and to the country we both love. I wish her and her family the best in all of their future endeavors.

JOHN E. SUNUNU

Mr. BUNNING. Mr. President, I wish to join my fellow Senators to honor a colleague and a friend, Senator JOHN E. SUNUNU, who is departing the Senate at the close of this Congress. I have enjoyed working with Senator SUNUNU over the years—first in the House of Representatives and later in the Senate.

While in the Senate, I have had the great fortune of serving with JOHN on the Senate Finance Committee. He is a revered advocate of fiscal discipline, personal responsibility, and free markets. The two of us have stood together on numerous issues—most notably tax—and I have always believed that we could accomplish any goal because I had his voice of conviction and intellect by my side.

Representing New Hampshire, Senator SUNUNU has proven to all Granite Staters that he will fight for the simple motto that reads on their State license plate: Live Free or Die. Whether the item of the day was social security, trade, or any other topical issue, including the original intent of the Constitution, Senator SUNUNU has proven that he is up for any debate.

The U.S. Senate will not be the same without Senator JOHN SUNUNU. In a time when many politicians try to increase the role of government in American life, Senator JOHN SUNUNU has always bet on the American people rather than government. I will miss JOHN SUNUNU.

Mr. ALEXANDER. Mr. President, four of our most valuable Senators will not return next year and we will miss them.

ELIZABETH DOLE

ELIZABETH DOLE began her career in public service at about the same time I did. We were both in the Nixon White House in 1969, and since then I have enjoyed following and watching and occasionally bumping into her remarkable career. She began that career at a time when women, even if they graduated from Harvard Law School as she did, had very few options. ELIZABETH made her options—in the Cabinet, heading the American Red Cross and pioneering in a Presidential race in 1999. I have thoroughly enjoyed working with her, as well as knowing even better Bob Dole during these last 6 years. She truly is one of America's most admired women.

GORDON SMITH

GORDON SMITH is the most eloquent among us Senators. Every Republican Senator would say that, and any Democrat who had heard him would agree. He has a quiet way, an intelligence and a way of speaking that commands attention and respect. He has his feet firmly planted on the ground in Pendleton, OR. He understands the private sector. He has been courageous in his willingness to support and chide and criticize his party when needed. He will be sorely missed.

JOHN SUNUNU

I met JOHN SUNUNU when he was a college student and his father and I were Governors of our respective States. He arrives and leaves as the youngest member of the Senate. But, in our caucus, his voice is one of the voices most carefully listened to. His intelligence, his philosophical integrity and his persistence have made him a most valuable player in our Republican Conference. He has a bright career ahead of him.

TED STEVENS

I have often thought that I should write a book called ''some things you don't know about the people I work with.'' Someday I will. And I will start with TED STEVENS, who flew the first cargo plane into Peking, as it was then called, at the end of World War II. This was a dangerous, bold mission. It helps to explain the life of this remarkable man who helped Alaska become a State and then has defended and supported it in the Senate for 40 years. With the departures of TED STEVENS and two other Senators of whom I have already spoken—PETE DOMENICI and JOHN WARNER—the Senate loses more than 100 years of service. More than that, this country loses three men whose view of America was rooted in the last years of World War II and the remarkable ascendancy of our country since then. Looking around the Senate, it will be difficult to find many among those of us who remain with the breadth of vision and old-fashioned patriotism that these men have contributed.

HONORING OUR ARMED FORCES

CAPTAIN ROBERT YLLESCAS

Mr. HAGEL. Mr. Presdient, I wish to express my sympathy over the loss of U.S. Army captain Robert Yllescas. Captain Yllescas, a native Guatemalan and graduate of the University of Nebraska-Lincoln, died on December 1 from injuries he sustained from an improvised explosive device in the mountains of Afghanistan on October 28. He was 31 years old.

After spending the first 18 years of his life in Guatemala, Captain Yllescas moved to Nebraska, where he enrolled in the University of Nebraska-Lincoln and joined the ROTC. He married his wife Dena in her hometown of Osceola, NE. A graduate of Army Ranger school, Captain Yllescas' service included two tours of duty in Iraq and one in Afghanistan, where he proved to be an exemplary leader. As the commander of B Troop, 6–4 Cavalry of the 3rd Brigade, 1st Infantry Division, he led 90 U.S. and 200 Afghan soldiers in Nuristan province. He was awarded the Purple Heart by President Bush on November 10.

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

Captain Yllescas is remembered as a devoted husband, father, and son. In addition to his wife Dena, he is survived by his daughters, Julia, 7, and Eva, 10 months; and parents Otto and Barb.

I ask my colleagues to join me and all Americans in honoring U.S. Army CPT Robert Yllescas.

67TH ANNIVERSARY OF PEARL HARBOR

Mr. AKAKA. Mr. President, yesterday, December 7, 2008, was the 67th anniversary of the attack on Pearl Harbor in which more than 2,400 courageous sailors, soldiers, and marines died. To those in Hawaii who, like me, witnessed the attack, the events of 67 years ago have a deep personal significance. I will never forget the courage and commitment of the soldiers, sailors, and ordinary men and women who did not hesitate to defend our Nation despite the enormous personal risk. For all Americans, young and old, it is important to remember that out of this dark hour arose the courage and strength of a unified Nation. I honor the memories of all the survivors of the attack as well as the fallen heroes who fought to defend our Nation's principles of democracy and freedom that day.

This year, with so many of our troops serving overseas, I would also like recognize our armed services families by honoring the sacrifices of those who lost loved ones during the attack on Pearl Harbor. Our Nation owes these family members a debt of gratitude for their strength and perseverance during such a grievous time. I want to thank all the members of our armed forces—those that served in World War II, all those that have served since, and those who still serve today. Your daily sacrifices protect and strengthen our country and allow us to enjoy the freedoms symbolic of the United States. Your courageous and dedicated efforts humble me, and may God bless you and your families as together we remember Pearl Harbor.

TRIBUTE TO LINDA LE

Ms. SNOWE. Mr. President, I rise today to recognize the outstanding service Linda Le provided to the Senate Committee on Small Business and Entrepreneurship over the past 4 years. Linda is a dedicated individual whose penchant for critical insights and creative solutions will be sorely missed.

Linda first joined the Senate Small Business Committee staff in 2004 as a staff assistant. She had previously gained invaluable experience on financial matters during her career at Fidelity Investments. Through hard work and determination here in the Senate, Linda rose through the ranks, first as a research analyst and finally as a professional staff member. Over the years,

I have come to rely on her knowledge and expertise in the areas of small business lending, banking, and women's business issues. She is a thoughtful member of the Committee's staff who could be relied upon for her ideas on how to strengthen legislation to benefit our Nation's small business owners. Just this year, Linda played a pivotal role in helping me develop legislation to alleviate the small business credit crunch and provide oversight over small business lenders. When Congress reconvenes next year, I will push to see that the Small Business Lending Oversight and Program Performance Improvement Act and the 10 Steps for a Main Street Economic Recovery Act are enacted into law.

The consummate professional, Linda was always well prepared for committee hearings, markups and roundtables. She consistently provided me with detailed materials that clearly explained complex situations and offered proactive and comprehensive solutions to problems regarding small business lending, access to credit, and women's business concerns. Linda's ability to build and maintain relationships with constituents, issue experts, and staff from other Members' offices has served me and the committee well. In all her years on the Small Business Committee, Linda has been a passionate advocate for small businesses and their owners. Her eagerness to make a difference in people's lives is nothing short of commendable.

After her tenure here in Washington, Linda is leaving the Senate to pursue a cause dear to her heart. Soon, she will be heading to Iraq to work as a business development specialist with one of the State Department's provincial reconstruction teams, or PRTs. PRTs are vital to our mission in Iraq, as they are made up of experts who advise the U.S. military and local Iraqi government on a wide array of issues, including economic and business development. Linda's work with the PRT will continue her pursuit of serving others, and will help win the hearts and minds of Iraqis in need of this vital aid.

Linda Le is a person of remarkable strength and selflessness. And to make her story all the more compelling, her husband Hung, a communications officer in the U.S. Army National Guard, recently deployed to Afghanistan to serve our country in the war on terror. Clearly, the word ''service'' has a profound meaning in Linda's household. I speak for my entire staff when I say we will keep Linda and her husband in our thoughts and prayers during their time overseas, and we wish Linda safe travels and much success in her new and incredible endeavor.

While I am sad to see Linda leave, I am excited for her bright future. She has used her talents to the fullest extent here in the Senate, and I am confident that she will continue to excel in everything she does. Thank you, Linda, for your dedicated service to your country, and best wishes as you begin an extraordinary new chapter in your life.

IDAHOANS SPEAK OUT ON HIGH ENERGY PRICES

Mr. CRAPO. Mr. President, in mid-June, I asked Idahoans to share with me how high energy prices are affecting their lives, and they responded by the hundreds. The stories, numbering well over 1,200, are heartbreaking and touching. While energy prices have dropped in recent weeks, the concerns expressed remain very relevant. To respect the efforts of those who took the opportunity to share their thoughts, I am submitting every e-mail sent to me through an address set up specifically for this purpose to the CONGRESSIONAL RECORD. This is not an issue that will be easily resolved, but it is one that deserves immediate and serious attention, and Idahoans deserve to be heard. Their stories not only detail their struggles to meet everyday expenses, but also have suggestions and recommendations as to what Congress can do now to tackle this problem and find solutions that last beyond today. I ask unanimous consent to have today's letters printed in the RECORD.

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

Thank you for listening to us. Please increase domestic oil production now. If it takes 10 years before we see the oil, then do it for the children. Also, please expand nuclear energy research and production.

VIRGINIA, *Rexburg*.

The price of gasoline has impacted our family budget. How much? I do not know, the price of gasoline continues to rise so quickly it is hard to see the whole impact. A few of the things we need to do are the following: More R&D dollars spent by the government for alternate energy sources; More nuclear plants are need across the nation; More plants to process the oil into gasoline are needed; More taxes on the oil companies, too.

KEVIN, *Rupert*.

Yes, we would like to see us drilling for fuel in our own country, exploring all options of new sources and conservation. It is hypocritical to not drill for our own fuel because of the environment and then buy from other (not so friendly!!) countries. We are a small business. We are working on a lower profit margin due to the high prices. We are trying to keep from raising our prices for as long as we can. We are taking steps to minimize our driving. That only goes so far. We support your idea Senator Crapo. Thank you for not signing on to that energy/environment bill.

SANDRA.

What a bunch of nonsense this is when America supports the Middle East so they can build indoor ski areas, palm tree islands out of sand for the mega-wealthy in the ocean and cut off the heads of Christians and Americans on television while we have enough gas and oil for all of America and more right under our noses.

What are you, our representatives, thinking? You are all out of control—you speak but you do not act, you type great things, ask for money to support your habit of power seeking at the top, being in the limelight, etc. and you continue to let American go further down in the eyes of the world—not to mention being abhorred by American citizens.

There is no respect for the office of the President, whom the press refer to as ''Mr. Bush or just Bush'' not President Bush.

You want our story—we are older American citizens, 63 and 65 years of age. We were born in World War II. We lived through Korea. We hid under our desks and against walls in elementary school in fear of the bomb which now our grandchildren have to fear. We lost our husbands, brothers and friends for nothing in Vietnam for a corrupt President's wife to continue to have her trucking companies pay huge dividends into their Texas ranch and still cannot say for sure just who killed President Kennedy. Desert Storm was a joke—what did we accomplish there—in and out and did not finish the job. 911 wasn't funny but we still cannot decide how to handle the ''bad boys'' that blew up our world that horrible day. We are being told that it is just another day in the life of people elsewhere—are we supposed to accept that and just move on?

And now ''The Changling'' wants to disarm Americans and create a global government—look out for your job—it may be gone sooner than you think. The Program People are winning. We are now disrespected around the world.

Now we refuse to win in America for real tax-paying Americans, with citizenship, that have earned the American dream and are courting the illegal people in the country while spitting in my face. My husband just turned 66 and 10 months. Whoopee! He may now have a ''reduced'' amount of Social Security because he needs it now—not 6 years from now when it may not even be available. Here's the breakdown:

The Social Security he paid into for 48 years will give him approximately $1650 dollars a month (Rent/Utilities/Insurance/Gas/Food/Medical—probably not enough);

The Medicare system which he also paid into for years charges him $93.10 a month to continue to be a part of that system he should have earned by now and is broken at best;

A Medicare Supplement, which you have to have to get decent medical care, costs $125+ a month added to the $93.10.

A Prescription Supplement runs another $25+ dollars added to the $93.10 and the $125 and we still use $4.00 WalMart for generics when possible;

And, we still have no dental, no vision, no disability, no long term care and no respect as doctors continue to refuse new patients on Medicare only.

And don't tell us that Socialized Medicine is any better—have a brain tumor in Canada or France or Denmark and wait 6–9 months for the MRI that has to be done in the coffin because you, my friend, died of brain cancer that was operable 6–9 months ago.

We have no debt other than our house and one small car payment. We now have to plan one day a week for errands. We calculate the difference between buying groceries at the closer grocery store with the cost of gas versus the savings we might get at the super WalMart. We chose a new doctor closer to the house. We do not go to the dentist twice a year for cleaning and preventative any more. We have not seen the eye doctor in over a year and a half—the old glasses will have to do for a while more.

And we still have a business in home and work 40+ hours a week so the government can take back some of the Medicare money they spent on doctor visits and tax 85 percent of the Social Security we earned.

What a bunch of nonsense, Mr. Crapo! You people need to get a grip and start acting

like you care as much about Americans as you do a bunch of thieving, illegal criminals that are robbing us blind and bringing down America. Go get our gas, throw out the illegals, bring down our taxes, put the prisoners that deserve it to work and use the death penalty for the rest of them that cost this country billions of dollar feeding, clothing, housing, educating and medicating when you let small children go without all of the above and live on the streets.

You, our government are killing our country—America is coming to an end as we know it—will it be a better place with the ''changlings'' taking over—I seriously doubt it—I even seriously doubt that you will read this far because the truth of the situation in America is something our government, elected representatives of the people—do not want to hear.

Want to talk—I'm all for it.

MARLEE.

This note is to urge you to vote to resolve the issue of high fuel costs and the impact it is having on the economy. Please consider off shore drilling, increasing the fuel refining capacities as well as research on viable energy resources. Perhaps legislators should study the impact of legislation before implementation, such as the effects on the economy regarding use of corn for alternative energy. Corn is used in almost all food items as well as in animal feed . . . There goes food costs through the trickle-down theory. Question: do legislators have ''think tanks'' they can use before passing legislation that effects us all in such a massive way? And, why are we not using them?

We are semi-retired and live about twenty miles from Coeur d'Alene, Idaho. Being on a mostly fixed income, high energy costs have certainly caused us to decrease our shopping trips, and to buy only those necessities. Monies we have saved for retirement, we now have to spend.

Why is it that 14 percent of the population can prevent off shore drilling? It appears that if the U.S. is not going to use this energy, other countries will. I guess it is a case of ''the squeeky wheel gets the grease;'' the rest of us are too busy trying to make a living to lobby.

I understand that there has been an auto carbuerator available for years that would increase mileage tremendously. What has happened to this?

Incentives for conservation are great . . . And effective as it has a favorable consequence for the pocketbook.

We are all for expanding nuclear energy . . . But only if there is a way to rid the world of its byproduct.

Regards,

DOUG and STEVANNA, *Athol*.

I appreciate the fact that you are asking for personal stories which helps connect voters to legislation that affects them.

My husband and I are your typical American family. We are both young, happy, own our home, have two dogs and two cats. We are blessed to have this life. We live in Boise, Idaho, where I work and my husband commutes to Mountain Home Air Force Base every day. He spends two hours a day commuting, 40 hours a month driving back and forth between Boise and Mountain Home. This, combined with an 8–12 hour workday, means he is home very little.

We have been together for three years and every year he has deployed to Iraq. We have not complained about his frequent visits or the minimal compensation that we receive for his leave, because we both understand that it is necessary and important for him to go. But what hurts our family the most is that we are having difficulty affording the gasoline for him to go to work when he's home. We have a fuel efficient vehicle that we are paying the loan on monthly and the gas for commuting is the equivalent of a second car payment a month.

I am ashamed that our country is so reactive, that we were not prepared to accommodate new forms of energy that could have spared families and businesses from straining their financial means because of gasoline. I am requesting as a citizen, faithful voter and consumer that Congress take the steps necessary to implement a cleaner, more efficient and renewable form of energy to sustain our economy.

KRISTIN.

I was very excited to receive your email and learn of the chance to tell our story of struggle with the outrageous gasoline prices. My husband and I live near the Hunt Relocation Monument in Jerome County. I know you have visited that site, so you are aware how far we are from the nearest towns (about 20 miles).

My husband is a school teacher. We have five children at home. I have gone back to school to get my teaching certificate so I can contribute to our income, because we cannot make ends meet on a school teacher's salary. With the rising costs of gasoline, we are spending $700 to $800 a month just on gasoline, which is a quarter of our take home income every month! We still have a house payment, bills and the rising cost of groceries to deal with on top of that. If things keep going like this, we will lose our home. We are rapidly going through our savings just to have the bare necessities.

I urge and implore you and our government leaders to please explore the option of opening up our own oil fields, building refineries, whatever it takes to end our dependence on foreign oil.

JIM and JANEIL, *Jerome*.

We are surviving just fine and will continue to do so. We have cut back on driving to places we would go this time of year and do think about short trips. Is this trip necessary?

I am upset with Congress and their lack of foresight in producing energy in this country. You have made it impossible for oil companies to drill in areas that could produce energy now and in the future. And you continually want to blame ''big oil'' for high prices. I do not. And you spend money that we do not have. How did you vote on the recent farm bill?

Abolish the code and go to a flat tax, ten percent, with no deductions of any sort. And quit spending!

NEIL.

Thank you for fighting for us, we are getting pinched hard with the increased price for gas.

Our family story is not as dramatic as some I am sure you will receive, but it is a picture of Middle America. I work for the Federal Government and have an excellent job for the Orofino area. My wife sells real estate, (need I say more about her recent lack of income). We have two daughters both in high school looking toward possible medical careers. We have been saving for their college education, but with this recent double whammy of housing market crash and high gas prices it looks like we might have to discontinue our savings plan contributions to buy gas to get to work.

(I feel like a whiner when compared to the financial crisis some ''on the edge'' families must be facing).

A web site http://www.americansolutions.com/ has a petition going around to drill here in the U.S. I have read a lot of the site and signed the petition as have many others I know. I read some of the recommended solutions and debunked myths in the solutions forum; I suggest you or staff have a look for some possible answers.

Thank you again.

PAUL and KATHY, *Orofino*.

My family and I live in S.E. Idaho. We have been extremely affected by the high gas prices that have occurred. I will not let my wife drive anywhere unless it is absolutely necessary. She does the grocery shopping and I have got her to only go once every 1 or 2 weeks. The problem with that is that she needs to get out for a 'break', and I won't even let her do that.

I feel we in the USA should do everything we can to increase domestic oil production, expand nuclear energy research, find other, cheaper fuels, and conserve as much as possible.

BOB.

Our family has made efficiency a priority on our automobile travel. There are rarely ''one-stop'' trips being made. Our daughter's, age 12 and 9, are stuck making less plans that require a car trip and when we arrange play dates or outings we try to coordinate carpooling with other parents, to share the load. We have decided to keep our vacation local and will camp in McCall this summer, instead of the previously plan RV trip to the East Coast. I have been a full-time housewife for 9 years. Recently, my husband and I have discussed me going back to work to help supplement the cost of food, goods and fuel. When and if I do consider re-entering the work force, I will look for work close to home. We are also considering the purchase of a more fuel efficient vehicle.

All of the little things add up and where expenses are concerned I am sure we are like most families who are doing their best to economize while the cost of goods and fuel are rising.

Please do to whatever you can to aide in the softening of this economic down turn that we are feeling in Southwestern Idaho. Please help to educate the general public on the issues surrounding fuel use and alternatives. Perhaps, by informing and educating the citizens, we will be able to make better choices on the vehicles we purchase. I think the public deserves honest explanations for what the root cause is on the increase of the cost of fuel. Is it the war in Iraq? Is it our relations with the Middle East? Does the housing down-turn have an effect on the dollar value, which in turn changes the ''value'' of oil? I would love to have the knowledge to explain this to my children, however, the media doesn't inform us with facts . . . and I think that is what we need.

Good luck with your endeavor. Thank you for inviting the Idaho citizens to be included in your collective effort to change and improve our fuel crisis.

LISA, *Eagle*.

I will write about the impacts being felt by my wife and I and send it to you later. For now, I am forwarding this ''Joe American'' site I hope you and your staff will take time to watch. This man is making more sense than anyone I have heard from Federal, State, or local leadership. http://www.youtube..com/watch?v=ZPch2k63uj4.

Thank you for the work you are doing. I do hope you will find some ideas in the above listed site that will help you to work more effectively.

Sincerely,

ORVILLE, *Idaho Falls*.

Start drilling in our own country, especially Alaska. Forget about the polar bears—

relief has got to come the consumers way. This is all political and the oil companies are gouging this country—make them accountable and they should be fined and monies returned to the citizens of this country.

LINDA.

I travel about 140 miles two to three times a week and need to fill up on the third trip each time. Each fill up costs close to $40.00. I think the U.S. should spend more on nuclear power as well as wind and solar power. We should also start looking for oil on our own soil including all of Alaska and off shore. Thank you Senator Crapo for all you are doing for us here in Idaho.

DOYLE, *Arco*.

ADDITIONAL STATEMENTS

TRIBUTE TO LAVENIA McCOY

• Mr. ALLARD. Mr. President, when Lavenia McCoy arrived in Bayfield in 1939 as new teacher, she also went to the library to volunteer. She has served that library continuously: from the small space behind the post office, to the town hall on the east side of the post office, to the entire 1100-square-foot building at the corner of Mill and Pearl Streets, to the new 8200-square-foot library on the north side of town.

Lavenia McCoy was the first person in Bayfield to catalog books by the Dewey Decimal System, a change for the alphabetical order by author's last name of the 500 or so books. She began serving on the Library Board in 1948, at the behest of Betty Stock, as secretary. About 35 years later, Lavenia McCoy became treasurer, including keeping the library's financial records; she did that until 2006. By then the budget had increased from pennies for overdue fees to several million dollars, the staff from all volunteer to six paid librarians, the circulation from a few shelves of books to 20,000 volumes, and the financial records from ledger to computer. Always she encouraged folks to use their library.

Lavenia McCoy is a lifelong library user, and she is one who is willing to do the work in order to enjoy the privilege. In 2005, the Library Board named its new library ''Lavenia McCoy Public Library'' in recognition of her contribution. I wanted to take a moment to congratulate her and her service.•

TRIBUTE TO BRAD SCOTT

• Mr. BOND. Mr President, today I recognize and pay tribute to a good friend and longtime colleague in public service: Brad Scott.

I have known Brad for more than 20 years, first as a dedicated and effective employee, and later as a visionary Government administrator.

On January 9, 2009, he will step down from his post as a regional administrator of the General Service Administration after 8 years of innovative and dedicated service.

We sometimes joke that the term ''Government efficiency'' is an oxymoron, but not when Brad is in charge. He can make things happen. At a time when political concerns seem to dominate much of the landscape, Brad has worked across the aisle to get things done by focusing on the common good and doing what is best for Missouri and the Heartland Region.

We all know that in the Federal bureaucracy, it is much harder to complete a project than to derail it or to do nothing at all. Red tape is an all-too-real phenomenon. But since Brad came to the GSA in 2001, he has not stopped building.

In 2001, he brought a set of successful business policies to a GSA region that was suffering from underutilized space and low return on investment. He also worked hard to build consensus between local communities, the private sector and Government on large-scale projects. He was able to revitalize blighted areas in many of our largest cities by constructing or renovating iconic buildings that now enhance local economic development. He also permanently strengthened these local communities by creating and maintaining jobs.

Brad's accomplishments are too numerous to name. Several of his major contributions include: the construction of First IRS Center in Kansas City, new Federal courthouses in Cape Girardeau and Jefferson City, and the conversion of the Old St. Louis Post Office into a heavily utilized State building.

Brad's long list of accomplishments speaks to his vision, dedication, and uncanny ability to guide key development projects through the bureaucratic maze.

Losing Brad Scott as Regional GSA Administrator will be a real blow to Missouri but the State has been fortunate to have him in that role for so many years. I know that he will continue to be an active participant in issues facing Missouri and the region just as he has always been.

Brad, thank you for your service and I look forward to many more good things to come.•

IDAHO BARLEY COMMISSION 20TH ANNIVERSARY

• Mr. CRAPO. Mr. President, it is an honor for me to recognize the 20th anniversary of the Idaho Barley Commission, IBC, this year. Barley is grown in almost every county in Idaho, and Idaho ranks second in the Nation in barley production. The IBC has been working for growers for two decades, providing current trends, information and educational opportunities to those in the barley industry and representing the concerns and needs of barley growers to policymakers in Idaho and here in Washington.

The IBC plays an integral role in fostering markets at home and abroad in Taiwan and Japan and is currently developing malting barley markets in Mexico, Peru, and Colombia and through the U.S. Grain Council. It helps ensure that growers' voices are heard in issues like Federal farm policy, Federal malt barley crop insurance, pesticide regulations and irrigation. The IBC is working with the University of Idaho to establish farm business management schools and provides services to growers that include helping farmers optimize herbicide usage, boost yields, and cut irrigation costs. The IBC supports research on barley breeding, pest management, and extension nurseries.

The IBC has a successful history of working in conjunction with the National Barley Growers Association, the National Barley Foods Council, the U.S. Grains Council, and the Idaho Grain Growers Association. This important collaboration helps keep elected officials informed about their members' needs, policies that work, and those in need of improvement. This partnership has been invaluable to me as I continue to work with IBC to address the needs of an important part of Idaho's agriculture economy.

Congratulations to the IBC on 20 years of support for one of Idaho's most widespread commodities. A healthy barley industry keeps Idaho thriving and contributes to our Nation's economy and food security.•

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE RECEIVED DURING RECESS

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 4, 2008, the Secretary of the Senate, on November 21, 2008, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bill:

H.R. 2040. An act to require the Secretary of the Treasury to mint coins in commemoration of the semicentennial of the enactment of the Civil Rights Act of 1964.

Under the authority of the order of the Senate of January 4, 2008, the enrolled bill was signed on November 24, 2008, by the President pro tempore (Mr. BYRD).

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 7005. An act to amend the Internal Revenue Code of 1986 to provide alternative minimum tax relief for individuals for 2008.

H.R. 7006. An act to amend the Internal Revenue Code of 1986 to provide disaster assistance relief.

H.R. 7060. An act 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.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on November 20, 2008, she had presented to the President of the United States the following enrolled bills:

S. 602. An act to develop the next generation of parental control technology.

S. 1193. An act to direct the Secretary of the Interior to take into trust 2 parcels of Federal land for the benefit of certain Indian Pueblos in the State of New Mexico, and for other purposes.

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–8902. A communication from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Avocados Grown in South Florida; Revisions to Grade and Container Requirements'' ((Docket No. AMS-FV-08-0022)(FV08-915-1 FR)) received in the Office of the President of the Senate on December 3, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8903. A communication from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Almonds Grown in California; Relaxation of Incoming Quality Control Requirements'' ((Docket No. AMS-FV-08-0044)(FV08-981-1 FIR)) received in the Office of the President of the Senate on December 3, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8904. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the stabilization of Iraq that was declared in Executive Order 13303 of May 22, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC–8905. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Burma that was declared in Executive Order 13047 of May 20, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC–8906. A communication from the Assistant Secretary, Investment Management/Office of Regulatory Policy, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Temporary Exemption for Liquidation of Certain Money Market Funds'' (RIN3235-AK24) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8907. A communication from the Senior Counsel for Regulatory Affairs, Office of Investment Security, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Regulations Pertaining to Mergers, Acquisitions, and Takeovers by Foreign Persons'' (RIN1505-AB88) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8908. A communication from the Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Financial Crimes Enforcement Network; Amendment to the Bank Secrecy Act Regulations—Exemptions from the Requirement to Report Transactions in Currency'' (RIN1506-AA90) received in the Office of the President of the Senate on December 3, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8909. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Digital Television Distributed Transmission System Technologies'' (MB Docket No. 05-312) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8910. 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; Bryan, Texas'' (MB Docket No. 08-175) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8911. 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; Madison, Wisconsin'' (MB Docket No. 08–127) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8912. A communication from the Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Kansas Regulatory Program'' ((SATS No. KS–024–FOR)(Docket No. OSM–2008–0001)) received in the Office of the President of the Senate on December 3, 2008; to the Committee on Energy and Natural Resources.

EC–8913. A communication from the Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Pennsylvania Regulatory Program'' ((SATS No. PA–148–FOR)(Docket No. OSM–2008–0014)) received in the Office of the President of the Senate on December 3, 2008; to the Committee on Energy and Natural Resources.

EC–8914. 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; Connecticut; Enhanced Vehicle Inspection and Maintenance Program'' ((EPA–R01–OAR–2008–0194)(FRL–8717–9)) received in the Office of the President of the Senate on December 3, 2008; to the Committee on Environment and Public Works.

EC–8915. 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; Texas; Control of Emissions of Nitrogen Oxides (NOx) From Stationary Sources'' ((EPA–R06–OAR–2007–0532)(FRL–8747–6)) received in the Office of the President of the Senate on December 3, 2008; to the Committee on Environment and Public Works.

EC–8916. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Repeal of Obsolete Regulations under the Marine Protection, Research, and Sanctuaries Act Regarding Interim Ocean Dumping Sites, Interim Ocean Dumping Permits, and Interim Ocean Dumping Criteria'' (RIN2040–AF01) received in the Office of the President of the Senate on December 3, 2008; to the Committee on Environment and Public Works.

EC–8917. 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, South Coast Air Quality Management District'' ((EPA–R09–OAR–2008–0788)(FRL–8745–4)) received in the Office of the President of the Senate on December 3, 2008; to the Committee on Environment and Public Works.

EC–8918. 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, Great Basin Unified Air Pollution Control District and Kern County Air Pollution Control District'' ((EPA–R09–OAR–2007–0290)(FRL–8745–6)) received in the Office of the President of the Senate on December 3, 2008; to the Committee on Environment and Public Works.

EC–8919. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Standards of Performance for Fossil-Fuel-Fired Steam Generators for Which Construction is Commenced After August 17, 1971; Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978; Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units; and Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units'' (RIN2060–AO61) received in the Office of the President of the Senate on December 3, 2008; to the Committee on Environment and Public Works.

EC–8920. 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 ''Medicaid Program; State Allotments for Payment of Medicare Part B Premiums for Qualifying Individuals: Federal Fiscal Year 2008 and Federal Fiscal Year 2009'' (RIN0938–AP38) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Finance.

EC–8921. A communication from the Program Manager of the Center for Medicaid and State Operations, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicaid Program; Premiums and Cost Sharing'' (RIN0938–AO47) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Finance.

EC–8922. 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 ''Applicable Federal Rates—December 2008'' (Rev. Rul. 2008–53) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Finance.

EC–8923. 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 Section 832 Salvage Discount Factors'' (Rev. Proc. 2008–71) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Finance.

EC–8924. 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 ''Coordinated Issue Paper; All Industries; Exclusion of Income—Non-Corporate Entities and Contributions to Capital'' (UIL 118.01–02) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Finance.

EC–8925. 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 ''Payments from the Presidential Primary Matching Payment Account'' (RIN1545–BH36) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Finance.

EC–8926. 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 Section 1274A CPI Adjustments'' (Rev. Rul. 2008–52) received in the Office of the President of the Senate on December 3, 2008; to the Committee on Finance.

EC–8927. 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 Standards Mileage Rate Revenue Procedure'' (Rev. Proc. 2008–72) received in the Office of the President of the Senate on December 3, 2008; to the Committee on Finance.

EC–8928. 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 ''Classification of Certain Foreign Entities'' (RIN1545–BH23) received in the Office of the President of the Senate on December 3, 2008; to the Committee on Finance.

EC–8929. 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 ''Determination of Housing Cost Amounts Eligible for Exclusion or Deduction for 2008'' (Notice 2008–107) received in the Office of the President of the Senate on December 3, 2008; to the Committee on Finance.

EC–8930. 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 ''Publication of the Tier 2 Tax Rates'' (4830–01–P) received in the Office of the President of the Senate on December 3, 2008; to the Committee on Finance.

EC–8931. 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 Cumulative List of Changes in Plan Qualification Requirements'' (Notice 2008-108) received in the Office of the President of the Senate on December 3, 2008; to the Committee on Finance.

EC–8932. A communication from the Program Manager of the Center for Medicaid and State Operations, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicaid Program; State Flexibility for Medicaid Benefit'' (RIN0938-AO48) received in the Office of the President of the Senate on December 3, 2008; to the Committee on Finance.

EC–8933. A communication from the President of the United States, transmitting, pursuant to law, certifications relative to the inclusion of the Republic of Albania in the North Atlantic Treaty Organization; to the Committee on Foreign Relations.

EC–8934. A communication from the President of the United States, transmitting, pursuant to law, certifications relative to the inclusion of the Republic of Croatia in the North Atlantic Treaty Organization; to the Committee on Foreign Relations.

EC–8935. A communication from the 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 in the amount of $100,000,000 or more with the United Kingdom; to the Committee on Foreign Relations.

EC–8936. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to providing information on U.S. military personnel and U.S. civilian contractors involved in the anti-narcotics campaign in Colombia; to the Committee on Foreign Relations.

EC–8937. A communication from the Program Manager for the Agency for Healthcare Research and Quality, Office for Civil Rights, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Patient Safety and Quality Improvement'' (RIN0919-AA01) received in the Office of the President on the Senate on November 24, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–8938. A communication from the Acting Director, Office of Personnel Management, transmitting a legislative proposal entitled, ''Federal Executive Board Authorization Act of 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–8939. A communication from the Chair, U.S. Election Assistance Commission, transmitting, pursuant to law, the Commission's Performance and Accountability Report for fiscal year 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–8940. A communication from the Broadcasting Board of Governors, transmitting, pursuant to law, the Boards's Performance and Accountability Report for fiscal year 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–8941. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report to Congress for the six-month period ending September 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–8942. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, a report of availability of the Department's Performance and Accountability Report for fiscal year 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–8943. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of April 1, 2008, through September 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–8944. A communication from the Chairman, Postal Regulatory Commission, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report to Congress for the period of April 1, 2008, through September 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–8945. A communication from the Chief Financial Officer, Farm Credit System Insurance Corporation, transmitting, pursuant to law, a report relative to the requirements of the Federal Managers' Financial Integrity Act and the Inspector General Act of 1978; to the Committee on Homeland Security and Governmental Affairs.

EC–8946. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period ending September 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–8947. A communication from the Chairman, Board of Governors, U.S. Postal Service, transmitting, pursuant to law, the Semiannual Report on the Audit, Investigative, and Security Activities of the U.S. Postal Service for the period of April 1, 2008, through September 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–8948. A communication from the Secretary of Agriculture, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report to Congress for the period ending September 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–8949. A communication from the Secretary of Labor, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report to Congress for the period of April 1, 2008, through September 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–8950. 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 2005-28'' (FAC 2005-28) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–8951. 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 2005-29'' (FAC 2005-29) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–8952. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, an annual report relative to the activities and operations of the Public Integrity Section, Criminal Division, and the nationwide federal law enforcement effort against public corruption for 2007; to the Committee on the Judiciary.

EC–8953. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of

Justice, transmitting, pursuant to law, the quarterly report of the Department of Justice's Office of Privacy and Civil Liberties; to the Committee on the Judiciary.

EC–8954. A communication from the Secretary of Homeland Security, transmitting, pursuant to law, the certification that the Department of Homeland Security has in place an air exit system that can verify the departure of not less than 97 percent of foreign nationals who exit through airports of the United States and an electronic travel authorization system that is fully operational; to the Committee on the Judiciary.

EC–8955. A communication from the Deputy Assistant Administrator of the Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Import and Production Quotas for Certain List I Chemicals'' (RIN1117–AB08) received in the Office of the President of the Senate on December 3, 2008; to the Committee on the Judiciary.

EC–8956. 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 Southern District of Texas, received in the Office of the President of the Senate on November 24, 2008; to the Committee on the Judiciary.

EC–8957. A communication from the Chairman, Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled ''Extension of Administrative Fines Program'' (Notice 2008–12) received in the Office of the President of the Senate on December 3, 2008; to the Committee on Rules and Administration.

EC–8958. A communication from the Deputy General Counsel, Office of Disaster Assistance, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled ''Military Reservist Economic Injury Disaster Loans'' (RIN3245–AF78) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Small Business and Entrepreneurship.

EC–8959. A communication from the Chairman, National Labor Relations Board, transmitting, pursuant to law, the revised report of two violations of the Antideficiency Act; to the Committee on Appropriations.

EC–8960. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, five Selected Acquisition Reports (SARs) for the quarter ending September 30, 2008; to the Committee on Armed Services.

EC–8961. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, the second quarter report for fiscal year 2008 of the Joint Improvised Explosive Device Defeat Organization; to the Committee on Armed Services.

EC–8962. A communication from the Assistant Secretary of the Navy (Installations and Environment), transmitting, pursuant to law, a report relative to the result of a public-private competition for the Commander, Navy Installations Command, Non-Guard Security Support Service functions; to the Committee on Armed Services.

EC–8963. A communication from the Acting Inspector General, Department of Defense, transmitting, pursuant to Public Law 106–65, an annual review conducted as a cooperative effort by nine Offices of Inspector General relative to export control policies and procedures; to the Committee on Armed Services.

EC–8964. 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; Carriage Vessel Overhaul, Repair, and Maintenance'' (RIN0750–AF75) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Armed Services.

EC–8965. 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; Least Developed Countries that are Designated Countries'' (RIN0750–AG08) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Armed Services.

EC–8966. 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; Limitations on DoD Non-Commercial Time-and-Materials Contracts'' (RIN0750–AF90) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Armed Services.

EC–8967. 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; Reports of Government Property'' (RIN0750–AF24) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Armed Services.

EC–8968. 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'' ((44 CFR Part 64)(73 FR 67414)) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8969. 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 67416)) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8970. 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'' ((44 CFR Part 64)(73 FR 65775)) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8971. 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 65777)) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8972. 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 65778)) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8973. A communication from the Acting General Counsel, Department of Housing and Urban Development, transmitting, pursuant to law, the report of the designation of acting officer for the position of General Counsel, received in the Office of the President of the Senate on November 24, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8974. A communication from the Acting General Counsel, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a vacancy for the position of General Counsel, received in the Office of the President of the Senate on November 24, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–8975. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Medical Certification Requirements as Part of the CDL'' (RIN2126–AA10) received in the Office of the President of the Senate on December 3, 2008; to the Committee on Commerce, Science, and Transportation.

EC–8976. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Rule Concerning Disclosures Regarding Energy Consumption and Water Use of Certain Home Appliances and Other Products Required Under the Energy Policy and Conservation Act'' (RIN3084–AA74) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Energy and Natural Resources.

EC–8977. A communication from the General Counsel, Office of Enforcement, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Standards of Conduct for Transmission Providers'' ((Docket No. RM07–1–000)(Order No. 717)) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Energy and Natural Resources.

EC–8978. A communication from the Acting Assistant Secretary, Office of Fossil Energy, Department of Energy, transmitting, pursuant to law, a report entitled ''Energy Policy Act, Section 1812, Backup Fuel Capability Study''; to the Committee on Energy and Natural Resources.

EC–8979. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''List of Approved Spent Fuel Storage Casks: MAGNASTOR Addition'' (RIN3150–AI51) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Environment and Public Works.

EC–8980. 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; Rhode Island Update to Materials Incorporated by Reference'' (FRL–8733–6) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Environment and Public Works.

EC–8981. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Modification of Pesticide Tolerance Revocation for Diazinon'' (FRL–8390–7) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Environment and Public Works.

EC–8982. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Oil Pollution Prevention; Spill Prevention, Control, and Countermeasure Rule; Revisions to the Regulatory Definition of ''Navigable Waters'' (RIN2050–AG48) received in

the Office of the President of the Senate on November 24, 2008; to the Committee on Environment and Public Works.

EC–8983. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Oil Pollution Prevention; Spill Prevention, Control, and Countermeasure Rule Requirements—Amendments'' (RIN2050–AG16) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Environment and Public Works.

EC–8984. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Regulation of Fuels and Fuel Additives; Modifications to Renewable Fuel Standard Program Requirements'' (RIN2060–AO80) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Environment and Public Works.

EC–8985. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Standards Applicable to Generators of Hazardous Waste; Subpart K—Alternative Requirements for Hazardous Waste Determination and Accumulation of Unwanted Material at Laboratories Owned by Colleges and Universities and Other Eligible Academic Entities Formally Affiliated with Colleges and Universities'' (RIN2050–AG18) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Environment and Public Works.

EC–8986. A communication from the Chief Counsel, Economic Development Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the EDA Regulations'' (RIN0610–AA64) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Environment and Public Works.

EC–8987. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Glyphosate; Pesticide Tolerances'' (FRL–8385–7) received in the Office of the President of the Senate on December 3, 2008; to the Committee on Environment and Public Works.

EC–8988. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Diflubenzuron; Pesticide Tolerances for Emergency Exemptions'' (FRL–8388–9) received in the Office of the President of the Senate on December 3, 2008; to the Committee on Environment and Public Works.

EC–8989. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Chlorothalonil; Pesticide Tolerances'' (FRL–8387–9) received in the Office of the President of the Senate on December 3, 2008; to the Committee on Environment and Public Works.

EC–8990. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Amendments to National Emission Standards for Hazardous Air Pollutants for Area Sources: Electric Arc Furnace Steelmaking Facilities'' (RIN2060–AM71) received in the Office of the President of the Senate on December 3, 2008; to the Committee on Environment and Public Works.

EC–8991. A communication from the Commissioner, Social Security Administration, transmitting, pursuant to law, a report relative to the Administration's processing of continuing disability reviews for fiscal year 2007; to the Committee on Finance.

EC–8992. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to quality improvement and savings under the Medicare Hospital Gainsharing Demonstration; to the Committee on Finance.

EC–8993. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Report to Congress on the Evaluation of the Cancer Prevention and Treatment Demonstration for Racial and Ethnic Minorities''; to the Committee on Finance.

EC–8994. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical agreement for the export of defense articles, including technical data, and defense services in the amount of $100,000,000 or more to the United Kingdom; to the Committee on Foreign Relations.

EC–8995. 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 2008–203—2008–216); to the Committee on Foreign Relations.

EC–8996. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, an annual report relative to the Benjamin A. Gilman International Scholarship Program for 2008; to the Committee on Foreign Relations.

EC–8997. A communication from the 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 the Government of Jordan to the Government of Lebanon; to the Committee on Foreign Relations.

EC–8998. A communication from the Director of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting, pursuant to law, an annual report relative to the federal work force for fiscal year 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–8999. A communication from the Chief Human Capital Officer, Corporation for National and Community Service, transmitting, pursuant to law, the report of a vacancy and designation of acting officer for the position of Chief Executive Officer, received in the Office of the President of the Senate on December 2, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–9000. 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 ''Maximum Civil Money Penalty Amounts and Compliance With the Federal Civil Penalties Inflation Adjustment Act'' (Docket No. FDA–2008–N–0561) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–9001. 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 ''Prior Notice of Imported Food Under the Public Health Security and Bioterrorism Preparedness and Response Act of 2002'' (RIN0910–AC41) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–9002. A communication from the Special Assistant to the President and Director, Office of Administration, Executive Office of the President, transmitting, pursuant to law, a report relative to personnel employed in the White House Office, the Executive Residence at the White House, the Office of the Vice President, the Office of Policy Development (Domestic Policy Staff), and the Office of Administration; to the Committee on Homeland Security and Governmental Affairs.

EC–9003. A communication from the Secretary, Federal Maritime Commission, transmitting, pursuant to law, a report relative to the Commission's EEO complaints activity; to the Committee on Homeland Security and Governmental Affairs.

EC–9004. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, a report entitled ''Agency Financial Report, Fiscal Year 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–9005. A communication from the Acting Chairman, Consumer Product Safety Commission, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of April 1, 2008, through September 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–9006. A communication from the Secretary of Education, transmitting, pursuant to law, a report entitled ''Fiscal Year 2008 Performance and Accountability Report''; to the Committee on Homeland Security and Governmental Affairs.

EC–9007. A communication from the President, Federal Financing Bank, transmitting, pursuant to law, the Bank's final strategic plan for the fiscal years 2008–2013; to the Committee on Homeland Security and Governmental Affairs.

EC–9008. A communication from the President, Federal Financing Bank, transmitting, pursuant to law, the Bank's performance plan for fiscal years 2008–2009; to the Committee on Homeland Security and Governmental Affairs.

EC–9009. A communication from the Board Members, Railroad Retirement Board, transmitting, pursuant to law, a report entitled ''Railroad Retirement Board's Performance and Accountability Report for Fiscal Year 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–9010. A communication from the Chairman, Securities and Exchange Commission, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of April 1, 2008, through September 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–9011. A communication from the Secretary of Education, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of April 1, 2008, through September 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–9012. A communication from the Secretary of Energy, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of April 1, 2008, through September 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–9013. A communication from the Chair, Equal Employment Opportunity Commission, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report and the Semiannual Management's Report for the period of April 1, 2008, through September 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–9014. A communication from the Director of Administration, National Labor Relations Board, transmitting, pursuant to law, a report entitled ''Performance and Accountability Report, Fiscal Year 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–9015. A communication from the Chairman, Merit System Protection Board, transmitting, pursuant to law, a report entitled ''The Power of Federal Employee Engagement''; to the Committee on Homeland Security and Governmental Affairs.

EC–9016. A communication from the Chairman, Merit System Protection Board, transmitting, pursuant to law, a report entitled ''Performance and Accountability Report for FY 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–9017. A communication from the Chairman, Federal Communications Commission, transmitting, pursuant to law, a report entitled ''Performance and Accountability Report, Fiscal Year 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–9018. A communication from the Acting Chief Executive Officer, Corporation for National and Community Service, transmitting, pursuant to law, a report entitled ''Annual Financial Report for Fiscal Year 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–9019. A communication from the President, Federal Financing Bank, transmitting, pursuant to law, the Bank's Annual Report for fiscal year 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–9020. A communication from the Director, National Science Foundation, transmitting, pursuant to law, a report of notification of availability of the Annual Financial Report for fiscal year 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–9021. A communication from the Chairman, National Credit Union Administration, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of April 1, 2008, through September 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–9022. A communication from the Secretary of the Treasury, transmitting, pursuant to law, two semiannual reports by the Treasury Department's Office of Inspector General and Treasury Inspector General for Tax Administration for the period ending September 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–9023. 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 April 1, 2008, to June 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–9024. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the Administration's Performance and Accountability Report for fiscal year 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–9025. A communication from the Inspector General, Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission's Performance Report for fiscal year 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–9026. A communication from the Acting Chairman, Consumer Product Safety Commission, transmitting, pursuant to law, the Commission's Performance and Accountability Report for fiscal year 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–9027. A communication from the Chief of the Border Security Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Importer Security Filing and Additional Carrier Requirements'' (RIN1651–AA70) received in the Office of the President of the Senate on December 3, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–9028. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Establishment of the Leona Valley Viticultural Area'' (RIN1513–AB49) received in the Office of the President of the Senate on November 24, 2008; to the Committee on the Judiciary.

EC–9029. A communication from the Deputy White House Liaison, Department of Justice, transmitting, pursuant to law, the report of a vacancy and designation of acting officer in the position of Assistant Attorney General, Antitrust Division, received in the Office of the President of the Senate on December 2, 2008; to the Committee on the Judiciary.

EC–9030. 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 ''Servicemembers' Group Life Insurance Traumatic Injury Protection Program'' (RIN2900–AN00) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Veterans' Affairs.

EC–9031. A communication from the Under Secretary, Food, Nutrition, and Consumer Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''WIC Farmers' Market Nutrition Program (FMNP): Nondiscretionary Provisions of Public Law 108–265, the Child Nutrition and WIC Reauthorization Act of 2004'' (RIN0584–AD74) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–9032. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Michael W. Peterson, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–9033. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 12938 with respect to the proliferation of weapons of mass destruction; to the Committee on Banking, Housing, and Urban Affairs.

EC–9034. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Rules of Practice and Procedure; Civil Money Penalty Inflation Adjustments'' (RIN1557–AD11) received in the Office of the President of the Senate on November 24, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–9035. A communication from the Associate Director, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Iranian Transactions Regulations'' (31 CFR Part 560) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–9036. 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'' (Docket No. FEMA–B–1019) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–9037. A communication from the Chairman, Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Waybill Sample'' (STB Ex Parte No. 385) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Commerce, Science, and Transportation.

EC–9038. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of two rules entitled ''Endangered and Threatened Species; Final Rule to Remove the Caribbean Monk Seal From the Federal List of Endangered and Threatened Wildlife'' and ''Endangered and Threatened Species; Conservation of Threatened Elkhorn and Staghorn Corals'' ((RIN0648–XG60)(RIN0648–AU92)) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Commerce, Science, and Transportation.

EC–9039. 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 Off West Coast States; Coastal Pelagic Species Fisheries; Annual Specifications'' (RIN0648–XJ42) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Commerce, Science, and Transportation.

EC–9040. 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 ''General Provisions of the Magnuson-Stevens Fishery Conservation and Management Act; Minor Amendments to Regulations'' (RIN0648–AX26) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Commerce, Science, and Transportation.

EC–9041. 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 Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Referendum Procedures for a Potential Gulf of Mexico Grouper and Tilefish Individual Fishing Quota Program'' (RIN0648–AW85) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Commerce, Science, and Transportation.

EC–9042. 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 Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery of the Gulf of Mexico; Revisions to Allowable Bycatch Reduction Devices'' (RIN0648–AV14) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Commerce, Science, and Transportation.

EC–9043. 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 ''General Provisions for Domestic Fisheries; Specifications for Boarding Ladders'' (RIN0648–AV78) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Commerce, Science, and Transportation.

EC–9044. 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; Atka Mackerel by Vessels in the Amendment 80 Limited Access Fishery in the Eastern Aleutian District and Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area'' (Docket No. 071106673–8011–02) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Commerce, Science, and Transportation.

EC–9045. 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; Northeast Multispecies Fishery; Modification of the Yellowtail Flounder Landing Limit for the U.S./Canada Management Area'' (RIN0648–XL40) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Commerce, Science, and Transportation.

EC–9046. 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; Atlantic Herring Fishery; Total Allowable Catch Harvested for Management Area 1A'' (RIN0648–XL69) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Commerce, Science, and Transportation.

EC–9047. 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; Trawl Gear in the Gulf of Alaska; Temporary Rule; Modification of a Closure'' (RIN0648–XL83) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Commerce, Science, and Transportation.

EC–9048. 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; Trawl Gear in the Gulf of Alaska; Temporary Rule; Closure'' (RIN0648–XL65) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Commerce, Science, and Transportation.

EC–9049. 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 by Vessels in the Amendment 80 Limited Access Fishery in the Eastern Aleutian District of the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XL45) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Commerce, Science, and Transportation.

EC–9050. 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 Catcher Processors Using Hook-and-Line Gear in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XL68) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Commerce, Science, and Transportation.

EC–9051. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone Regulations (including 6 regulations beginning with USCG–2008–0755)'' (RIN1625–AA00) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Commerce, Science, and Transportation.

EC–9052. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone Regulations (including 5 regulations beginning with USCG–2007–0075)'' (RIN1625–AA00) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Commerce, Science, and Transportation.

EC–9053. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Christmas Holiday Boat Parade Fireworks Event, Appomattox River, Hopewell, VA'' (RIN1625–AA00) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Commerce, Science, and Transportation.

EC–9054. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Fireworks Display, Potomac River, National Harbor, MD'' (RIN1625–AA00) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Commerce, Science, and Transportation.

EC–9055. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone; Escorted Vessels, Savannah, Georgia, Captain of the Port Zone'' (RIN1625–AA87) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Commerce, Science, and Transportation.

EC–9056. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations (including 2 regulations beginning with USCG–2008–0738)'' (RIN1625–AA08) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Commerce, Science, and Transportation.

EC–9057. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zones; Escorted Vessels, Mobile, AL, Captain of the Port Zone'' (RIN1625–AA87) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Commerce, Science, and Transportation.

EC–9058. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Dry Cargo Residue Discharges in the Great Lakes'' (RIN1625–AA89) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Commerce, Science, and Transportation.

EC–9059. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulations (including 7 regulations beginning with USCG–2008–0825)'' (RIN1625–AA09) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Commerce, Science, and Transportation.

EC–9060. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulations (including 2 regulations beginning with USCG–2008–0256)'' (RIN1625–AA09) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Commerce, Science, and Transportation.

EC–9061. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Okeechobee Waterway, Mile 126.3, Olga, FL'' (RIN1625–AA09) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Commerce, Science, and Transportation.

EC–9062. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Review and Update of Standards for Marine Equipment'' (RIN1625–AA83) received in the Office of the President of the Senate on December 2, 2008; to the Committee on Commerce, Science, and Transportation.

EC–9063. A communication from the Administrator, Saint Lawrence Seaway Development Corporation, Department of Transportation, transmitting, pursuant to law, the Corporation's annual financial audit and management report for fiscal year 2008; to the Committee on Environment and Public Works.

EC–9064. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to enhanced aquaculture and seafood inspection; to the Committee on Agriculture, Nutrition, and Forestry.

EC–9065. A communication from the General Counsel, Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled ''Affordable Housing Program Amendments: Federal Home Loan Bank Mortgage Refinancing Authority'' (RIN2590–AA04) received in the Office of the President of the Senate on December 4, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–9066. A communication from the General Counsel, Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled ''Federal Home Loan Bank Boards of Directors: Eligibility and Elections'' (RIN2590–AA03) received in the Office of the President of the Senate on December 4, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–9067. A communication from the Associate General Counsel for Legislation and Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''HUD Programs: Violence Against Women Act Conforming Amendments'' (RIN2577–AC65) received in the Office of the President of the Senate on December 4, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–9068. 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 ''Addition of Certain Persons to the Entity List: Persons Acting Contrary to the National Security or Foreign Policy Interests of the United States'' (RIN0694–AE48) received in the Office of the President of the Senate on December 4, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–9069. A communication from the Director, Office of Legal Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Large-Bank Deposit Insurance Determination Modernization'' (RIN3064–AD26) received in the Office of the President of the Senate on December 4, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–9070. A communication from the Director, Office of Legal Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Processing of Deposit Accounts in the Event of an Insured Depository Institution Failure'' (RIN3064–AD26) received in the Office of the President of the Senate on December 4, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–9071. A communication from the Director, Office of Legal Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Temporary Liquidity Guarantee Program'' (RIN3064–AD37) received in the Office of the President of the Senate on December 4, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–9072. A communication from the Director, Office of Legal Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Temporary Liquidity Guarantee Program; Amendment to Interim Rule'' (RIN3064–AD37) received in the Office of the President of the Senate on December 4, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–9073. A communication from the Acting Chairman, National Transportation Safety Board, transmitting, pursuant to law, a report relative to the actions taken to ensure that audits are conducted of its programs and operations for fiscal year 2008; to the Committee on Commerce, Science, and Transportation.

EC–9074. 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; Crustacean Fisheries; Deepwater Shrimp'' (RIN0648–AV29) received in the Office of the President of the Senate on December 4, 2008; to the Committee on Commerce, Science, and Transportation.

EC–9075. 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 Gulf of Alaska'' (RIN0648–XL92) received in the Office of the President of the Senate on December 4, 2008; to the Committee on Commerce, Science, and Transportation.

EC–9076. A communication from the Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Special Regulations; Areas of the National Park System'' (RIN1024–AD74) received in the Office of the President of the Senate on December 4, 2008; to the Committee on Energy and Natural Resources.

EC–9077. A communication from the Assistant Secretary, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Mining Claims Under the General Mining Laws'' (RIN1004–AE00) received in the Office of the President of the Senate on December 4, 2008; to the Committee on Energy and Natural Resources.

EC–9078. A communication from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Land Withdrawals; Amendment of Regulations Regarding Emergency Withdrawals'' (RIN1004–AE05) received in the Office of the President of the Senate on December 4, 2008; to the Committee on Energy and Natural Resources.

EC–9079. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, a semiannual report relative to the status of the Commission's licensing and regulatory duties; to the Committee on Environment and Public Works.

EC–9080. A communication from the Chief of the Recovery and Delisting 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: Establishment of a Nonessential Experimental Population of Rio Grande Silvery Minnow in the Big Bend Reach of the Rio Grande in Texas'' (RIN1018–AU68) received in the Office of the President of the Senate on December 4, 2008; to the Committee on Environment and Public Works.

EC–9081. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Importation, Exportation, and Transportation of Wildlife; Inspection Fees, Import/Export Licenses, and Import/Export License Exemptions'' (RIN1018–AV31) received in the Office of the President of the Senate on December 4, 2008; to the Committee on Environment and Public Works.

EC–9082. A communication from the 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; Designation of Critical Habitat for 12 Species of Picture-wing Flies from the Hawaiian Islands'' (RIN1018–AU93) received in the Office of the President of the Senate on December 4, 2008; to the Committee on Environment and Public Works.

EC–9083. A communication from the President and Chief Executive Officer, Overseas Private Investment Corporation, transmitting, pursuant to law, the Corporation's Management Report for fiscal year 2008; to the Committee on Foreign Relations.

EC–9084. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the United States-People's Republic of China Science and Technology Agreement of 1979; to the Committee on Foreign Relations.

EC–9085. A communication from the 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 ''Obstetrical and Gynecological Devices; Designation of Special Controls for Male Condoms Made of Natural Rubber Latex'' (RIN0910–AF21) received in the Office of the President of the Senate on December 4, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–9086. A communication from the 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 ''Food Labeling: Health Claims; Calcium and Osteoporosis, and Calcium, Vitamin D, and Osteoporosis'' (Docket No. FDA–2004–P–0205) received in the Office of the President of the Senate on December 4, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–9087. A communication from the 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 ''Use of Ozone-Depleting Substances; Removal of Essential-Use Designation (Epinephrine)'' (RIN0910–AF92) received in the Office of the President of the Senate on December 4, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–9088. A communication from the Director, 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 December 4, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–9089. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy for the position of Director, Institute of Education Sciences, received in the Office of the President of the Senate on December 4, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–9090. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy for the position of Under Secretary, received in the Office of the President of the Senate on December 4, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–9091. A communication from the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a designation of acting officer for the position of Acting Assistant Secretary, Occupational Safety and Health Administration, received in the Office of the President of the Senate on December 4, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–9092. A communication from the Chairman, Railroad Retirement Board, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of April 1, 2008, through September 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–9093. A communication from the Chairman, Occupational Safety and Health Review Commission, transmitting, pursuant to law, the Commission's Performance and Accountability Report for fiscal year 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–9094. A communication from the Acting Administrator, General Services Administration, transmitting, pursuant to law, a management report on audit final action and the Office of Inspector General's Semiannual Report for the period of April 1, 2008, through September 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–9095. A communication from the Director, Office of Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of April 1, 2008, through September 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–9096. A communication from the Secretary, Federal Maritime Commission, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of April 1, 2008, through September 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–9097. A communication from the Attorney General, transmitting, pursuant to law, the semiannual reports of the Attorney General and the Inspector General for the period of April 1, 2008, through September 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–9098. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, a management report on the status of audits and the Office of Inspector General's Semiannual Report for the period of April 1, 2008, through September 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–9099. A communication from the Chairman, Federal Trade Commission, transmitting, pursuant to law, the Commission's Performance and Accountability Report for fiscal year 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–9100. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report relative to the Bureau of Prisons' compliance with the privatization requirements of the Revitalization Act; to the Committee on the Judiciary.

EC–9101. A communication from the Chief of the Regulatory Management Division, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Immigrant and Nonimmigrant Religious Workers'' (RIN1615–AA16) received in the Office of the President of the Senate on December 4, 2008; to the Committee on the Judiciary.

EC–9102. 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 ''Assistance to States in Hiring and Retaining Nurses at State Veterans Homes'' (RIN2900–AM26) received in the Office of the President of the Senate on December 4, 2008; to the Committee on Veterans' Affairs.

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 Ms. SNOWE:

S. 3718. A bill to amend the Internal Revenue Code of 1986 to suspend the taxation of unemployment compensation for 2 years; to the Committee on Finance.

By Ms. SNOWE (for herself and Mr. HATCH):

S. 3719. A bill to amend the Internal Revenue Code of 1986 to suspend the minimum required pension distribution rules for 2008, 2009, and 2010; to the Committee on Finance.

By Mr. SPECTER:

S. 3720. A bill to amend the Internal Revenue Code of 1986 to suspend the minimum required pension distribution rules for 2008 and 2009; to the Committee on Finance.

By Mr. BROWNBACK:

S. 3721. A bill to prohibit the use of funds to transfer individuals detained by the United States at Naval Station, Guantanamo Bay, Cuba, to the United States Disciplinary Barracks, Fort Leavenworth, Kansas; to the Committee on Armed Services.

By Mrs. FEINSTEIN (for herself and Mr. BENNETT):

S. 3722. A bill to amend the Help America Vote Act of 2002 to provide for auditable, independent verification of ballots, to ensure the security of voting systems, and for other purposes; to the Committee on Rules and Administration.

By Ms. CANTWELL:

S. 3723. A bill to establish a framework for coordination and cooperation on energy and environmental issues among the United States, the People's Republic of China, and India, and for other purposes; to the Committee on Foreign Relations.

By Mr. REID (for himself and Mr. ENSIGN):

S. 3724. A bill to direct the Secretary to take land into trust for the Te-moak Tribe of Western Shoshone Indians of Nevada; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BROWNBACK (for himself and Mr. ROBERTS):

S. Res. 721. A resolution recognizing and honoring the Smith Center High School football team; to the Committee on the Judiciary.

By Mr. SPECTER:

S. Res. 722. A resolution recognizing January 2, 2009 as ''National Advertising Specialty Day''; to the Committee on the Judiciary.

By Mr. McCONNELL (for himself and Mr. REID):

S. Res. 723. A resolution to permit the collection of clothing, toys, food, and housewares during the holiday season for charitable purposes in Senate buildings; considered and agreed to.

ADDITIONAL COSPONSORS

S. 893

At the request of Mr. DEMINT, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 893, a bill to allow a State to combine certain funds and enter into a performance agreement with the Secretary of Education to improve the academic achievement of students.

S. 1287

At the request of Mr. SMITH, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 1287, a bill to amend the Internal Revenue Code of 1986 to allow an offset against income tax refunds to pay for State judicial debts that are past-due.

S. 2521

At the request of Mr. LIEBERMAN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2521, a bill to provide benefits to domestic partners of Federal employees.

S. 2928

At the request of Mr. SCHUMER, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 2928, a bill to ban bisphenol A in children's products.

S. 3150

At the request of Mr. SCHUMER, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 3150, a bill to prohibit the Secretary of Transportation or the Administrator of Federal Aviation Administration from conducting auctions, implementing congestion pricing, limiting airport operations, or charging certain use fees at airports.

S. 3533

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 3533, a bill to establish the Daniel Webster Congressional Clerkship Program.

S. 3672

At the request of Mr. BAUCUS, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 3672, a bill to amend title 23, United States Code, to improve economic opportunity and development in rural States through highway investment, and for other purposes.

S. 3673

At the request of Mr. BAUCUS, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 3673, a bill to amend title 23, United States Code, to improve highway transportation in the Untied States, including rural and metropolitan areas.

S. 3684

At the request of Ms. MIKULSKI, the names of the Senator from Oklahoma (Mr. INHOFE), the Senator from Vermont (Mr. SANDERS) and the Senator from Ohio (Mr. VOINOVICH) were added as cosponsors of 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.

S. 3697

At the request of Mr. INHOFE, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 3697, a bill to amend the Emergency Economic Stabilization Act to require approval by the Congress for certain expenditures for the Troubled Asset Relief Program.

S. 3698

At the request of Mrs. FEINSTEIN, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 3698, a bill to prohibit any recipient of emergency Federal economic assistance from using such funds for lobbying expenditures or political contributions, to improve transparency, enhance accountability, encourage responsible corporate governance, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. SNOWE:

S. 3718. A bill to amend the Internal Revenue Code of 1986 to suspend the taxation of unemployment compensation for 2 years; to the Committee on Finance.

Ms. SNOWE. Mr. President, I rise today to introduce a bill that will provide much-needed relief to struggling families across America. The Unemployment Benefit Tax Suspension Act of 2008 is a critical piece of legislation that would suspend the collection of federal income tax on unemployment benefits for 2008 and 2009.

In light of the calamitous labor market, Congress must act to ensure that workers who lose their jobs do not also lose their livelihoods. On Friday, the Labor Department released sobering statistics that demonstrated the gravity of the situation we face. In November, the economy shed 533,000 jobs, the largest monthly job loss since December 1974. Our unemployment rate now stands at a perilous 6.7 percent, a 15-year high. We have lost 1.9 million jobs since the beginning of our present recession in December 2007—including ⅔ of those jobs in the last 3 months alone—and the number of unemployed stands at a whopping 10.3 million.

Suspending the federal income tax on unemployment benefits is a simple way to assist our nation's unemployed workers and families. In fact, the CBO has estimated that in 2005, of the 8.1 million recipients of UC benefits, 7.5 million had incomes of under $100,000. As such, most of the benefits of suspending this tax are likely to go to lower- and middle-income families, those struggling harder than ever just to makes ends meet.

During these challenging times, taxes on unemployment compensation represents a burden that unemployed members of our society simply cannot afford. Working families are already suffering, with the high cost of groceries, an unstable energy market, and the outrageous price tag for health care. My bill offers a means to help stimulate the economy by making unemployed workers' benefits stretch farther. While it is certainly not a solution to the problem, it is a step in the right direction.

President-elect Obama has voiced his support for this general idea, calling it ''a way of giving more relief to families,'' and I believe that is the ultimate goal we must pursue in these trying times. I look forward to seeing this bill is passed in a timely manner, so that the impact can be immediate.

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. 3718

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 ''Unemployment Benefit Tax Suspension Act of 2008''.

SEC. 2. SUSPENSION OF TAX ON UNEMPLOYMENT COMPENSATION.

(a) IN GENERAL.—Section 85 of the Internal Revenue Code of 1986 (relating to unemployment compensation) is amended by adding at the end the following new subsection:

''(c) TEMPORARY SUSPENSION.—Subsection (a) shall not apply to taxable years beginning after December 31, 2007, and before January 1, 2010.''.

By Ms. SNOWE (for herself and Mr. HATCH):

S. 3719. A bill to amend the Internal Revenue Code of 1986 to suspend the minimum required pension distribution rules for 2008, 2009, and 2010; to the Committee on Finance.

Ms. SNOWE. Mr. President, today I rise to introduce legislation to offer relief to retirees who are being forced to take so-called required minimum distributions from their retirement accounts in a year in which the Dow Jones Industrial Average has fallen a staggering 35 percent. Because retirees are forced to make withdrawals from their retirement accounts, they cannot wait for equities markets to recover and must, in many cases, unnecessarily absorb devastating losses. The Retirement Account Distribution Improvement Act of 2008 would suspend required minimum distribution rules until 2011 to allow retirees the ability to recoup some of their losses.

Under current law, individuals who have reached age 70.5 generally must begin to withdraw funds from their IRAs or defined contribution retirement plans, including 401(k), 403(b), 457, and TSP plans. The withdrawals must begin by April 1 of the year in which an individual attains age 70.5. Failure to take a required minimum distribution may result in a 50 percent excise tax on the difference between what must be withdrawn and the amount actually distributed.

In times that equities markets are rising and retirement account balances are growing, required minimum distribution rules are sensible. Indeed, they ensure the government gains revenue after years of tax-deferred growth. Unfortunately, we are now witnessing unprecedented losses in equities markets that have caused many individuals to suffer steep losses in their retirement account balances. Indeed, the American Association of Retired Persons has said that retirement accounts have lost as much as $2.3 trillion between September 30, 2007, and October 16 of this year. Forcing individuals to liquidate accounts and pay income taxes on the proceeds, as is required under current law, instead of allowing them to wait until the market recovers and continue to defer tax, simply adds insult to injury. Moreover, mandating withdrawals may cause stock prices to fall, hurting other investors.

It is for these reasons that I am today introducing legislation to waive minimum required distributions for the 2008 to 2010 period. Under my legislation, retirement plan custodians would be prohibited from making required distributions unless an individual specifically asked that funds be withdrawn. Plan custodians would have to send individuals a notification to alert them that they must make an affirmative election to receive funds from their accounts. Finally, to benefit individuals who have already taken a required minimum distribution for 2008, the bill would allow a re-contribution of those amounts into a retirement account by July 1, 2009.

I am aware that others have proposed variations on the provisions I am introducing today. For example, Treasury Secretary Henry Paulson may be considering very short-term administrative relief. While well intentioned, this approach does not guarantee meaningful long-term action. Meanwhile, others have drafted legislation to suspend minimum distribution rules. Notably, Senators BAUCUS, GRASSLEY, KENNEDY, and ENZI, offered legislation, The Worker, Retiree and Employer Recovery Act of 2008, before the Thanksgiving Recess, a measure that I have cosponsored because it includes many worthy provisions such as a one-year waiver of required minimum distribution rules. While I greatly appreciate their efforts and hope that we can clear that bill as early as today, we must do more. A 1-year waiver of minimum distribution rules is simply a good start, but with many predicting a multi-year recession, I believe the waiver should be at least 3 years.

Congress must adopt a longer-term approach to helping individuals protect their retirement assets and weather the current economic storm. Individuals may require several years to recoup losses they have sustained, and by enabling them to keep assets in their retirement accounts until 2011, this bill offers them that opportunity. After 2 years, Congress can reevaluate whether the waiver of current-law rules should be further extended. I urge all Senators to consider the benefits this legislation will provide to millions of retirees all across the United States, and I look forward to working with my colleagues to enact it in a timely manner.

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. 3719

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 ''Retirement Account Distribution Improvement Act of 2008''.

SEC. 2. TEMPORARY WAIVER OF REQUIRED MINIMUM DISTRIBUTION RULES FOR CERTAIN RETIREMENT PLANS AND ACCOUNTS.

(a) IN GENERAL.—Section 401(a)(9) of the Internal Revenue Code of 1986 (relating to required distributions) is amended by adding at the end the following new subparagraph:

''(H) TEMPORARY WAIVER OF MINIMUM REQUIRED DISTRIBUTION.—

''(i) IN GENERAL.—The requirements of this paragraph shall not apply in calendar year 2008, 2009, or 2010 to—

''(I) a defined contribution plan which is described in this subsection or in section 403(a) or 403(b),

''(II) a defined contribution plan which is an eligible deferred compensation plan described in section 457(b) but only if such plan is maintained by an employer described in section 457(e)(1)(A), or

''(III) an individual retirement plan.

''(ii) PLANS ONLY TO MAKE ELECTIVE DISTRIBUTIONS.—A trust forming part of a plan shall not constitute a qualified trust under this subsection unless the plan provides that it will not make a payment or distribution during calendar year 2009 or 2010 which would otherwise be made to meet the requirements of this paragraph unless the employee or beneficiary elects to have such payment or distribution made. This clause shall not apply to an employee or beneficiary who is receiving, after the annuity starting date, distributions under the plan through an annuity contract issued by a company licensed to do business as an insurance company under the laws of any State.

''(iii) ELECTION.—An election under clause (ii) shall be made at such time and in such manner as the Secretary may prescribe. The Secretary may permit an employer to offer only 1 election that applies to 2009 and 2010 or may require employers to offer separate elections for each calendar year.

''(iv) INDIVIDUAL RETIREMENT PLANS EXEMPT FROM ELECTIVE DISTRIBUTION REQUIREMENT.—In the case of an individual retirement account or annuity described in section 408, this subparagraph shall be applied without regard to clauses (ii) and (iii).

''(v) SPECIAL RULES REGARDING WAIVER PERIOD.—For purposes of this paragraph—

''(I) the required beginning date with respect to any individual shall be determined without regard to this subparagraph for purposes of applying this paragraph to calendar years after 2010, and

''(II) if clause (ii) of subparagraph (B) applies to such individual, the 5-year period described in such clause shall be determined without regard to calendar years 2008, 2009, or 2010.''.

(b) ELIGIBLE ROLLOVER DISTRIBUTIONS.—Section 402(c)(4) of the Internal Revenue Code of 1986 (defining eligible rollover distribution) is amended by adding at the end the following new flush sentence:

''If all or any portion of a distribution during 2008, 2009, or 2010 is treated as an eligible rollover distribution but would not be so treated if the minimum distribution requirements under section 401(a)(9) had applied during such calendar year, such distribution shall not be treated as an eligible rollover distribution for purposes of section 401(a)(31) or 3405(c) or subsection (f) of this section''.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxable years beginning after December 31, 2007.

(2) RECONTRIBUTIONS OF DISTRIBUTIONS IN 2008 OR EARLY 2009.—

(A) IN GENERAL.—If a person receives 1 or more eligible distributions, the person may, on or before July 1, 2009, make one or more contributions (in an aggregate amount not exceeding all eligible distributions) to an eligible retirement plan and to which a rollover contribution of such distribution could be made under section 402(c), 403(a)(4), 403(b)(8), 408(d)(3), or 457(e)(16) of the Internal Revenue Code of 1986, as the case may be. For purposes of the preceding sentence, rules similar to the rules of clauses (ii) and (iii) of section 402(c)(11)(A) of such Code shall apply in the case of a beneficiary who is not the surviving spouse of the employee or of the owner of the individual retirement plan.

(B) ELIGIBLE DISTRIBUTION.—For purposes of this paragraph—

(i) IN GENERAL.—Except as provided in clause (ii), the term ''eligible distribution'' means an applicable distribution to a person from an individual account or annuity—

(I) under a plan which is described in clause (iv), and

(II) from which a distribution would, but for the application of section 401(a)(9)(H) of such Code, have been required to have been made to the individual for 2008 or 2009, whichever is applicable, in order to satisfy the requirements of sections 401(a)(9), 404(a)(2), 403(b)(10), 408(a)(6), 408(b)(3), and 457(d)(2) of such Code.

(ii) ELIGIBLE DISTRIBUTIONS LIMITED TO REQUIRED DISTRIBUTIONS.—The aggregate amount of applicable distributions which may be treated as eligible distributions for purposes of this paragraph shall not exceed—

(I) for purposes of applying subparagraph (A) to distributions made in 2008, the amount which would, but for the application of section 401(a)(9)(H) of such Code, have been required to have been made to the individual in order to satisfy the requirements of sections 401(a)(9), 404(a)(2), 403(b)(10), 408(a)(6), 408(b)(3), and 457(d)(2) of such Code for 2008, and

(II) for purposes of applying subparagraph (A) to distributions made in 2009, the sum of the amount which would, but for the application of such section 401(a)(9)(H), have been required to have been made to the individual in order to satisfy such requirements for 2009, plus the excess (if any) of the amount described in subclause (I) which may be distributed in 2009 to meet such requirements for 2008 over the portion of such amount taken into account under subclause (I) for distributions made in 2008.

(iii) APPLICABLE DISTRIBUTION.—

(I) IN GENERAL.—The term ''applicable distribution'' means a payment or distribution which is made during the period beginning on January 1, 2008, and ending on June 30, 2009.

(II) EXCEPTION FOR MINIMUM REQUIRED DISTRIBUTIONS FOR OTHER YEARS.—Such term shall not include a payment or distribution which is required to be made in order to satisfy the requirements of section 401(a)(9), 404(a)(2), 403(b)(10), 408(a)(6), 408(b)(3), or 457(d)(2) of such Code for a calendar year other than 2008 or 2009.

(III) EXCEPTION FOR PAYMENTS IN A SERIES.—In the case of any plan described in clause (iv)(I), such term shall not include any payment or distribution made in 2009 which is a payment or distribution described in section 402(c)(4)(A).

(iv) PLANS DESCRIBED.—A plan is described in this clause if the plan is—

(I) a defined contribution plan (within the meaning of section 414(i) of such Code) which is described in section 401, 403(a), or 403(b) of such Code or which is an eligible deferred compensation plan described in section 457(b) of such Code maintained by an eligible employer described in section 457(e)(1)(A)) of such Code, or

(II) an individual retirement plan (as defined in section 7701(a)(37) of such Code).

(C) TREATMENT OF REPAYMENTS OF DISTRIBUTIONS FROM ELIGIBLE RETIREMENT PLANS OTHER THAN IRAS.—For purposes of the Internal Revenue Code of 1986, if a contribution is made pursuant to subparagraph (A) with respect to a payment or distribution from a plan other than an individual retirement plan, then the taxpayer shall, to the extent of the amount of the contribution, be treated as having received the payment or distribution in an eligible rollover distribution (as defined in section 402(c)(4) of such Code) and as having transferred the amount to the plan in a direct trustee to trustee transfer.

(D) TREATMENT OF REPAYMENTS FOR DISTRIBUTIONS FROM IRAS.—For purposes of the Internal Revenue Code of 1986, if a contribution is made pursuant to subparagraph (A) with respect to a payment or distribution from an individual retirement plan (as defined by section 7701(a)(37) of such Code), then, to the extent of the amount of the contribution, such payments or distributions shall be treated as a distribution that satisfies subparagraphs (A) and (B) of section 408(d)(3) of such Code and as having been transferred to the individual retirement plan in a direct trustee to trustee transfer.

(3) PROVISIONS RELATING TO PLAN OR CONTRACT AMENDMENTS.—

(A) IN GENERAL.—If this paragraph applies to any pension plan or contract amendment, such pension plan or contract shall be treated as being operated in accordance with the terms of the plan during the period described in subparagraph (B)(ii)(I).

(B) AMENDMENTS TO WHICH PARAGRAPH APPLIES.—

(i) IN GENERAL.—This paragraph shall apply to any amendment to any pension plan or annuity contract which—

(I) is made by pursuant to the amendments made by this section, and

(II) is made on or before the last day of the first plan year beginning on or after January 1, 2011.

In the case of a governmental plan, subclause (II) shall be applied by substituting ''2012'' for ''2011''.

(ii) CONDITIONS.—This paragraph shall not apply to any amendment unless—

(I) during the period beginning on January 1, 2009, and ending on December 31, 2010 (or, if earlier, the date the plan or contract amendment is adopted), the plan or contract is operated as if such plan or contract amendment were in effect; and

(II) such plan or contract amendment applies retroactively for such period.

By Mr. SPECTER:

S. 3720. A bill to amend the Internal Revenue Code of 1986 to suspend the minimum required pension distribution rules for 2008 and 2009; to the Committee on Finance.

Mr. SPECTER. Mr. President, I have sought recognition to introduce legislation to temporarily suspend the requirement that persons aged 70½ and over take minimum distributions from their pensions or Individual Retirement Accounts, IRAs.

I offer this legislation because of the economic situation our country is in at this moment. At a time when our financial markets are so greatly unstable, the government should not be requiring people—especially retired citizens likely living on fixed incomes—to take money out of the markets. If seniors need this money, and want to take this money out of their pension plans, they should certainly be allowed to do so. But right now, while the markets are so unpredictable, I think it is wise for Congress to suspend the requirement that persons aged 70½ and above take mandatory distributions from their pensions, 401(k)s, and IRAs.

The legislation I am introducing today will suspend this requirement for 1 year. Recently, forecasters at the Federal Reserve Bank of Philadelphia estimated that the United States will

enter into a recession lasting approximately 14 months. While I certainly hope that they are wrong, and our economy begins to improve as Congress looks at various ways to stimulate the financial markets, I think we must be prudent in preparing for the worst. A 1 year suspension of the required pension distribution rule would allow time for the markets to stabilize. If, a year from now, our financial situation has not vastly improved, I believe it may be prudent to visit this issue again.

This legislation is a simple fix that will have a significant impact on both the financial markets and the portfolios of our senior citizens. Requiring seniors to take disbursements from their pensions or IRAs now will also likely mean that, with the markets at such a low point, seniors will be losing a significant amount of money. Current tax law not only is hurting the financial markets with this rule, it is also hurting the wallets of seniors who will see smaller distributions and dwindling pensions. If seniors don't need these distributions right now, let them keep their money in their retirement plans until the markets can rebuild and boost the amount those retirement plans are worth.

Another provision in this legislation would allow retirees who have already taken distributions in 2008 to reinvest those distributions back into their pension plan without penalty. This again would put money back into the markets if the recipients don't yet need the money at this time.

I hope that we will be able to weather the current financial storm we are in quickly. Through small measures like this one, in conjunction with the larger measures that Congress has already done, we can begin to bring stability to the markets. I look forward to working with my colleagues on this and other legislation to help the families in this country who are hurting because of the economic downturn.

By Mr. BROWNBACK:

S. 3721. A bill to prohibit the use of funds to transfer individuals detained by the United States at Naval Station, Guantanamo Bay, Cuba, to the United States Disciplinary Barracks, Fort Leavenworth, Kansas; to the Committee on Armed Services.

Mr. BROWNBACK. 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. 3721

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PROHIBITION ON USE OF FUNDS TO TRANSFER INDIVIDUALS DETAINED AT GUANTANAMO BAY, CUBA, TO THE UNITED STATES DISCIPLINARY BARRACKS, FORT LEAVENWORTH, KANSAS.

None of the funds appropriated or otherwise made available to any Federal department or agency may be used to transfer any individual detained by the United States at Naval Station, Guantanamo Bay, Cuba, to the United States Disciplinary Barracks, Fort Leavenworth, Kansas.

By Mr. REID (for himself and Mr. ENSIGN):

S. 3724. A bill to direct the Secretary to take land into trust for the Te-moak Tribe of Western Shoshone Indians of Nevada; to the Committee on Energy and Natural Resources.

Mr. REID. Mr. President, I rise today with my good friend Senator ENSIGN to introduce the Elko Indian Colony Expansion Act of 2008.

The Te-Moak Tribe of Western Shoshone Indians of Nevada includes four constituent bands, each having a separate reservation or colony in northeastern Nevada. One of the Te-moak Tribe's bands—the Elko Band—has a strong need for additional land. While their population has steadily grown, their land base has remained the same for over 75 years. This legislation would direct the Secretary of the Interior to make a reasonable expansion of the Te-moak Tribe's Elko Colony by taking 375 acres of land into trust.

The histories of the city of Elko and the Elko Indian Colony have long been intertwined. Elko was established as a railroad town in 1868 with the construction of the Central Pacific, part of the first transcontinental railroad. Shoshone families that had long lived in the area camped nearby to work on the railroad and in the area's mines and ranches.

Government officials tried to relocate Elko's Indian families and all Western Shoshones to the Duck Valley Indian Reservation, 100 miles to the north of Elko, when it was created in 1877. The families refused to leave, however, and managed to stay in the Elko area. When the government's formal relocation policy failed, separate ''colonies'' for remaining Shoshone families were established. In 1918, President Woodrow Wilson reserved 160 acres for the Shoshone Indians near Elko by executive order. Another 33 acres were later purchased by the Bureau of Indian Affairs, BIA, and were made part of the colony by Congress in 1931.

Today the Elko Colony is a thriving community. More than half of the Te-Moak's Tribe's enrolled members live and work in Elko, yet the Elko Colony has one of the smallest land bases of the four constituent bands. Over 350 tribal members are forced to live off of the colony because of a lack of reservation housing. Our legislation would address this need for more land by directing the Secretary of the Interior to take approximately 375 acres of land into trust for the tribe. These lands are currently managed by the Bureau of Land Management, BLM, and are adjacent to the existing Elko Colony. The land would be available for residential or commercial development, or for traditional uses, like ceremonial gatherings, hunting, and plant collecting.

We have received strong letters of support for this proposal from both the City of Elko and Elko County. It is always encouraging when communities come together to work on a project like this, and we are grateful for their collective work on this effort. I also want to highlight that the city has a number of rights-of-way that cross the land in question, and our legislation is designed to protect those interests.

This bill will do so much to improve the lives of the Elko Band of the Te-Moak Tribe. We are pleased to bring this legislation to the committee and we look forward to working with Chairman BINGAMAN, Ranking Member DOMENICI and the other distinguished members to move this bill through the process.

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. 3724

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 ''Elko Indian Colony Expansion Act of 2008''.

SEC. 2. DEFINITIONS.

In this Act:

(1) MAP.—The term ''map'' means the map entitled ''Te-moak Tribal Land Expansion'', dated September 30, 2008, and on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(3) TRIBE.—The term ''Tribe'' means the Te-moak Tribe of Western Shoshone Indians of Nevada, which is a federally recognized Indian tribe.

SEC. 3. LAND TO BE HELD IN TRUST FOR THE TE-MOAK TRIBE OF WESTERN SHOSHONE INDIANS OF NEVADA.

(a) IN GENERAL.—Subject to valid existing rights, all right, title, and interest of the United States in and to the land described in subsection (b)—

(1) shall be held in trust by the United States for the benefit and use of the Tribe; and

(2) shall be part of the reservation of the Tribe.

(b) DESCRIPTION OF LAND.—The land referred to in subsection (a) consists of approximately 373 acres of land administered by the Bureau of Land Management and identified on the map as ''Lands to be Held in Trust''.

(c) SURVEY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust under subsection (a).

(d) CONDITIONS.—

(1) GAMING.—Land taken into trust under subsection (a) shall not be eligible, or considered to have been taken into trust, for class II gaming or class III gaming (as those terms are defined in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703)).

(2) USE OF TRUST LAND.—With respect to the use of the land taken into trust under subsection (a), the Tribe shall limit the use of the land to—

(A) traditional and customary uses;

(B) stewardship conservation for the benefit of the Tribe; and

(C)(i) residential or recreational development; or

(ii) commercial use.

(3) THINNING; LANDSCAPE RESTORATION.—With respect to the land taken into trust under subsection (a), the Secretary, in consultation and coordination with the Tribe, may carry out any fuels reduction and other landscape restoration activities on the land that is beneficial to the Tribe and the Bureau of Land Management.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 721—RECOGNIZING AND HONORING THE SMITH CENTER HIGH SCHOOL FOOTBALL TEAM

Mr. BROWNBACK (for himself and Mr. ROBERTS) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 721

Whereas the citizens of Kansas are truly proud of the Smith Center High School football team for capturing the team's fifth State football championship title after finishing an undefeated season;

Whereas Smith Center has won 67 consecutive games, which is the third-longest winning streak among high school football teams in the nation, and which breaks the State record;

Whereas Smith Center set a national record by scoring 72 first-quarter points in a playoff game in 2007;

Whereas, in the 2007 season, Smith Center outscored its opponents 844–20;

Whereas head football coach Roger Barta has provided consistent leadership for the team, has led Smith Center to win 7 State titles, and was named national high school football coach of the year by the U.S. Army All-American Bowl Selection Committee;

Whereas Smith Center players provide an excellent example to our nation's youth by signing a pledge to stay away from drugs, alcohol, and tobacco, and by demonstrating outstanding determination and teamwork; and

Whereas the members of the Smith Center High School football team include: Ethan Eastes, Clay Pickel, Colt Rogers, Aaron McNary, Joe Osburn, Truitt Kuhlmann, Alex Hobelmann, Trevor Rempe, Travis Rempe, Kris Lehmann, Brock Baxter, Shawn Stansbury, Garrett Kuhlmann, Matt Atwood, Taylor Rippe, Tracy Hudson, Trey Molzahn, Aaron Sellars, Marshall McCall, Cole McDowell, Dereck McNary, Chase McDonald, William Overmiller, Jon Osburn, Nate Fiester, Monroe Schmidt, Joel Osburn, Kaden Roush, Brit Nixon, Van Tucker, Logan Tuxhorn, Dillon Corbett, Grady Brooks, Cole Conaway, Nathan Cox, Louis Frazier, Jesse Roush, Spencer VanderGiesen, Zachary Herdt, Trenton Terrill, Bryce Standley, Cody Tucker, Josh McDowell, Kale Terrill, Kelly Wiig, Jake Fischer, Curtis Favinger, Collin Duntz, Johny Troy, Billie Stokesbury, Josh Nixon, Justin Nixon, Anden Hughes, Spencer Kirchhoff, Jace Winder, and Kalen Mace: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Smith Center High School football team, including the players, head coach Roger Barta, and the coaching staff, on a victorious season; and

(2) thanks the team for the great honor it has brought to Smith Center and to the State of Kansas.

SENATE RESOLUTION 722—RECOGNIZING JANUARY 2, 2009 AS ''NATIONAL ADVERTISING SPECIALTY DAY''

Mr. SPECTER submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 722

Whereas an advertising specialty is any item imprinted with a logo or slogan and given out to promote a company, organization, product, service, special achievement, or event;

Whereas the presidential campaign of George Washington first used advertising specialties in the United States in 1789, in the form of collectible buttons;

Whereas there are more than 750,000 varieties of specialty advertising;

Whereas the advertising specialty industry employs more than 344,000 professionals across the United States, and 85 percent of these professionals are employed by small- or medium-sized businesses, some of which gross up to $1,000,000 per year;

Whereas the advertising specialty industry has grown an average of 4 percent each year since 2003 and reached $19,600,000,000 in 2007;

Whereas advertising specialties accounted for 14 percent of all tracked advertising spending in the United States in 2007; and

Whereas the advertising specialty industry accounts for more than 9,000 jobs in Pennsylvania: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes January 2, 2009 as ''National Advertising Specialty Day''; and

(2) acknowledges the contributions the specialty advertising industry makes to the economy of the United States.

Mr. SPECTER. Mr. President, I have sought recognition to introduce a resolution recognizing January 2 as National Advertising Specialty Day.

An advertising specialty is any item imprinted with a logo or slogan and given out to promote a company, organization, product, service, special achievement or event. The use of advertising specialties has historical relevance as the industry dates back to George Washington's use of collectible buttons in his presidential campaign in 1789. Today, there are over 750,000 varieties of advertising specialties.

The advertising specialty industry is now a major contributor to the United States economy. The industry employs over 344,000 professionals, including 9,000 in Pennsylvania. Eighty-five percent of these professionals are employed in small or medium-size businesses, some of which gross up to one million dollars per year.

The advertising specialty industry has experienced substantial growth. It has grown annually at an average rate of 4 percent since 2003 making it a 19.6 billion dollar industry in 2007. Advertising specialties now account for over 14 percent of all tracked advertising spending in the United States.

It is important to recognize the positive contributions the advertising specialty industry has had on the economy by creating jobs and small businesses. I urge my colleagues to support this industry by designating January 2 as National Advertising Specialty Day.

SENATE RESOLUTION 723—TO PERMIT THE COLLECTION OF CLOTHING, TOYS, FOOD, AND HOUSEWARES DURING THE HOLIDAY SEASON FOR CHARITABLE PURPOSES IN SENATE BUILDINGS

Mr. MCCONNELL (for himself and Mr. REID) submitted the following resolution; which was considered and agreed to:

S. RES. 723

Resolved,

SECTION 1. COLLECTION OF CLOTHING, TOYS, FOOD, AND HOUSEWARES DURING THE HOLIDAY SEASON FOR CHARITABLE PURPOSES IN SENATE BUILDINGS.

(a) IN GENERAL.—Notwithstanding any other provision of the rules or regulations of the Senate—

(1) a Senator, officer, or employee of the Senate may collect from another Senator, officer, or employee of the Senate within Senate buildings nonmonetary donations of clothing, toys, food, and housewares for charitable purposes related to serving those in need or members of the Armed Services and their families during the holiday season, if such purposes do not otherwise violate any rule or regulation of the Senate or of Federal law; and

(2) a Senator, officer, or employee of the Senate may work with a nonprofit organization with respect to the delivery of donations described in paragraph (1).

(b) EXPIRATION.—The authority provided by this resolution shall expire at the end of the 110th Congress.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Wednesday, December 10, 2008, at 9:30 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony regarding investments in clean energy and natural resources projects and programs to create green jobs and to stimulate the economy.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510–6150, or by e-mail to *Rosemarie Calabro@energy.senate.gov*

For further information, please contact Deborah Estes at (202) 224–5360, Scott Miller at (202) 224–5488, or Rosemarie Calabro at (202) 224–5039.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. CARDIN. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 813 to and including 827, except 815; and all nominations on the Secretary's desk in the Air Force, Army, Marine Corps, and Navy; that the nominations be confirmed en bloc and the motions to reconsider be laid upon the table; that no further motions be in order; that any statements relating to the nominations be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER (Mr. SANDERS). Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

IN THE AIR FORCE

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 major general

Brig. Gen. David J. Scott

The following named officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

James N. Stewart

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. John C. Koziol

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 major general

Brig. Gen. Stephen L. Hoog

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 ARMY

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brigadier General Gina S. Farrisee

The following named officer for appointment to the grade indicated under title 10, U.S.C., section 3037:

To be lieutenant general

Maj. Gen. Scott C. Black

The following named officer for appointment in the United States Army 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. James H. Pillsbury

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. David N. Blackorby

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. James E. Rogers

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Margaret W. Boor

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN2091 AIR FORCE nominations (2) beginning DARRYL D. BYBEE, and ending MARCO V. GALVEZ, which nominations were received by the Senate and appeared in the Congressional Record of September 26, 2008.

PN2105 AIR FORCE nominations (3) beginning RICHARD BRINKER, and ending NADIA C. SHOCKLEY, which nominations were received by the Senate and appeared in the Congressional Record of September 26, 2008.

PN2137 AIR FORCE nomination of Kathleen V. Reder, which was received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2138 AIR FORCE nominations (2) beginning SAMANTHA S. BOUSIGUES, and ending JOHN J. LINNETT, which nominations were received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2139 AIR FORCE nominations (3) beginning JOHN M. BEENE II, and ending MARK E. SANBORN, which nominations were received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2181 AIR FORCE nomination of Richard W. Jost, which was received by the Senate and appeared in the Congressional Record of November 19, 2008.

PN2182 AIR FORCE nomination of Clevis T. Parker, which was received by the Senate and appeared in the Congressional Record of November 19, 2008.

IN THE ARMY

PN2092 ARMY nomination of Britt B. Hill, which was received by the Senate and appeared in the Congressional Record of September 26, 2008.

PN2093 ARMY nomination of Kenneth Carlson, which was received by the Senate and appeared in the Congressional Record of September 26, 2008.

PN2094 ARMY nominations (4) beginning RAYMOND L. CAPPS, and ending SHANE RUSSELLJENKINS, which nominations were received by the Senate and appeared in the Congressional Record of September 26, 2008.

PN2095 ARMY nominations (2) beginning ANTHONY H. SAVAGE, and ending KARL F. WOODMANSEY, which nominations were received by the Senate and appeared in the Congressional Record of September 26, 2008.

PN2096 ARMY nominations (2) beginning GRACE LACARA, and ending CHESLEY D. OVERBY, which nominations were received by the Senate and appeared in the Congressional Record of September 26, 2008.

PN2106 ARMY nomination of John F. Kasel, which was received by the Senate and appeared in the Congressional Record of September 26, 2008.

PN2107 ARMY nominations (2) beginning MAX L. DIVINE, and ending NORMA TORRES, which nominations were received by the Senate and appeared in the Congressional Record of September 26, 2008.

PN2108 ARMY nominations (2) beginning MICHAEL L. NIPPERT, and ending ROBERT C. TURNER, which nominations were received by the Senate and appeared in the Congressional Record of September 26, 2008.

PN2109 ARMY nominations (3) beginning LAURENCE W. GEBLER, and ending VISETH NGAUY, which nominations were received by the Senate and appeared in the Congressional Record of September 26, 2008.

PN2140 ARMY nomination of Gregg A. Bliss, which was received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2141 ARMY nomination of Stuart A. Mellon, which was received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2142 ARMY nomination of Robert S. Gatewood, which was received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2143 ARMY nomination of Steven P. Jahner, which was received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2144 ARMY nomination of William H. Smithson, which was received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2145 ARMY nomination of James O. McLinnaham, which was received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2146 ARMY nomination of Gregory R. Ebner, which was received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2147 ARMY nomination of Paul E. Webb, which was received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2148 ARMY nominations (2) beginning RANDY R. COTE, and ending MICHAEL P. STEELY, which nominations were received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2149 ARMY nominations (5) beginning EROL AGI, and ending PATRICK C. SEAN, which nominations were received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2150 ARMY nominations (3) beginning RICHARD S. GLASS, and ending VICTOR F WALLACE, which nominations were received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2151 ARMY nominations (5) beginning JERZEY J. CHACHAJ, and ending JOHN E. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2152 ARMY nominations (5) beginning MALISSA A. HILL, and ending SOMA R.

WEBB, which nominations were received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2153 ARMY nominations (6) beginning DWIGHT Y. SHEN, and ending JEFFREY R. LONG, which nominations were received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2154 ARMY nominations (2) beginning MICHAEL C. AHN, and ending RICHARD P. MARTIN, which nominations were received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2155 ARMY nominations (5) beginning CHARLES K. ARIS, and ending JOHN R. WORSTER, which nominations were received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2156 ARMY nominations (4) beginning ERIC C. BUSH, and ending JON A. JENSEN, which nominations were received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2157 ARMY nominations (7) beginning EDWARD J. BRIAND, and ending JOHN C. SMITH, which nominations were received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2158 ARMY nominations (3) beginning MELANIE J. CRAIG, and ending PAUL D. STONEMAN, which nominations were received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2159 ARMY nominations (27) beginning CYNTHIA J. ABBADINI, and ending JUSTIN A. WOODHOUSE, which nominations were received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2160 ARMY nominations (46) beginning DERRICK F. ARINCORAYAN, and ending D060674, which nominations were received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2161 ARMY nominations (154) beginning WILLIAM J. ADAMS, and ending D060291, which nominations were received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2162 ARMY nominations (135) beginning RICHARD K. ADDO, and ending D060598, which nominations were received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2163 ARMY nominations (256) beginning KENNETH P. ADGIE, and ending D070487, which nominations were received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2183 ARMY nomination of Lynn F. Abrams, which was received by the Senate and appeared in the Congressional Record of November 19, 2008.

PN2184 ARMY nomination of Catherine A. Oliver, which was received by the Senate and appeared in the Congressional Record of November 19, 2008.

PN2185 ARMY nomination of Timothy S. Allisonaipa, which was received by the Senate and appeared in the Congressional Record of November 19, 2008.

PN2186 ARMY nomination of Daniel A. Strode, which was received by the Senate and appeared in the Congressional Record of November 19, 2008.

PN2187 ARMY nomination of Joseph S. Selken, which was received by the Senate and appeared in the Congressional Record of November 19, 2008.

PN2188 ARMY nominations (3) beginning THOMAS A. BRYANT, and ending JAMES P. McGINNIS, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2008.

PN2189 ARMY nominations (3) beginning JAMES A. GRIGGS, and ending PAUL R. HUNT, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2008.

PN2190 ARMY nominations (3) beginning PETER H. GUEVARA, and ending WALTER W. SHRATZ, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2008.

IN THE MARINE CORPS

PN2164 MARINE CORPS nominations (8) beginning CHRISTOPHER M. BRANNEN, and ending ERICH H. WAGNER, which nominations were received by the Senate and appeared in the Congressional Record of November 17, 2008.

IN THE NAVY

PN2097 NAVY nomination of John E. Murrain, which was received by the Senate and appeared in the Congressional Record of September 26, 2008.

PN2098 NAVY nomination of Dana Stombaugh, which was received by the Senate and appeared in the Congressional Record of September 26, 2008.

PN2099 NAVY nomination of Paul J. Foster, which was received by the Senate and appeared in the Congressional Record of September 26, 2008.

PN2100 NAVY nomination of Deborah A. Hinkley, which was received by the Senate and appeared in the Congressional Record of September 26, 2008.

PN2165 NAVY nomination of Mark C. Holley, which was received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2166 NAVY nomination of Michael C. Collins, which was received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2167 NAVY nomination of Channing J. Thomas, which was received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2168 NAVY nomination of Evan B. Williams, which was received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2169 NAVY nominations (2) beginning GERALD C. LOWE, and ending VICTOR D. OLIVER, which nominations were received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2170 NAVY nominations (3) beginning EDWARD J. ARRISON, and ending CLEVIS T. PARKER SR., which nominations were received by the Senate and appeared in the Congressional Record of November 17, 2008.

PN2171 NAVY nominations (36) beginning GREGORY R. ADAMS, and ending DONOVAN B. WORTHAM, which nominations were received by the Senate and appeared in the Congressional Record of November 17, 2008.

NOMINATIONS DISCHARGED

Mr. CARDIN. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged of PN2191, the nomination of David J. Strawman to be a career member of the Foreign Service, Class of Counselor, and Consular Officer and Secretary in the Diplomatic Service; and that the Senate then proceed to the nomination; that the nomination be confirmed, and the motion to reconsider be laid upon the table; that any statements relating thereto be printed in the RECORD; that no further motions be in order; and that the President be immediately notified of the Senate's action.

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

Mr. CARDIN. Mr. President, I ask unanimous consent that the Banking Committee be discharged of PN2120, the nomination of Neil M. Barofsky, and that the nomination then be referred to the committee on Homeland Security and Governmental Affairs; that it then immediately be discharged and the Senate then proceed to the consideration of the nomination; that the nomination be confirmed, the motion to reconsider be laid upon the table; that any statements relating thereto be printed in the RECORD; that no further motions be in order; that the President be immediately notified of the Senate's action; and the Senate return to legislative session.

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

The nominations considered and confirmed are as follows:

FOREIGN SERVICE

Career Member of the Senior Foreign Service, Class of Counselor, and Consular Officer and Secretary in the Diplomatic Service of the United States of America:

David J. Strawman, of Illinois

DEPARTMENT OF TREASURY

Neil M. Barofsky, of New York, to be Special Inspector General for the Troubled Asset Relief Program.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

MEASURES READ THE FIRST TIME—H.R. 7005, H.R. 7006, H.R. 7060

Mr. CARDIN. Mr. President, I understand that there are three bills at the desk. I ask for their first reading en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bills by title.

The assistant legislative clerk read as follows:

A bill (H.R. 7005) to amend the Internal Revenue Code of 1986 to provide alternative minimum tax relief for individuals for 2008.

A bill (H.R. 7006) to amend the Internal Revenue Code of 1986 to provide disaster assistance relief.

A bill (H.R. 7060) 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.

Mr. CARDIN. I now ask for the second reading en bloc and object to my own request en bloc.

The PRESIDING OFFICER. Objection is heard. The bills will be read for the second time on the next legislative day.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to Public Law 101–549, appoints the following individuals to the Board of Directors of the Mickey Leland National Urban Air Toxics Research Center: Jane Delgado, of the

District of Columbia and John Hiatt, of Nevada.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

PERMITTING THE COLLECTION OF CLOTHING, TOYS, FOOD, AND HOUSEWARES

Mr. CARDIN. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 723, which was submitted earlier today by Senators MCCONNELL and REID.

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

The legislative clerk read as follows:

A resolution (S. Res. 723) to permit the collection of clothing, toys, food, and housewares during the holiday season for charitable purposes in Senate buildings.

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

Mr. CARDIN. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 723) was agreed to, as follows:

S. RES. 723

Resolved,

SECTION 1. COLLECTION OF CLOTHING, TOYS, FOOD, AND HOUSEWARES DURING THE HOLIDAY SEASON FOR CHARITABLE PURPOSES IN SENATE BUILDINGS.

(a) IN GENERAL.—Notwithstanding any other provision of the rules or regulations of the Senate—

(1) a Senator, officer, or employee of the Senate may collect from another Senator, officer, or employee of the Senate within Senate buildings nonmonetary donations of clothing, toys, food, and housewares for charitable purposes related to serving those in need or members of the Armed Services and their families during the holiday season, if such purposes do not otherwise violate any rule or regulation of the Senate or of Federal law; and

(2) a Senator, officer, or employee of the Senate may work with a nonprofit organization with respect to the delivery of donations described in paragraph (1).

(b) EXPIRATION.—The authority provided by this resolution shall expire at the end of the 110th Congress.

ORDERS FOR TUESDAY, DECEMBER 9, 2008

Mr. CARDIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10:30 a.m. tomorrow, Tuesday, December 9; that following the prayer and pledge, the Journal of proceedings be approved to date, that the morning hour be deemed expired, that the time for the two leaders be reserved for their use later in the day, and that the Senate proceed to a period of morning business until 12 noon, with Senators permitted to speak for up to 10 minutes each, and that following morning business the Senate resume the motion to proceed to S. 3297.

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

ADJOURNMENT UNTIL 10:30 TOMORROW

Mr. CARDIN. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 6:14 p.m., adjourned until Tuesday, December 9, 2008, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

BRAD COLE, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR THE REMAINDER OF THE TERM EXPIRING OCTOBER 6, 2012, VICE TOM OSBORNE, RESIGNED.

DEPARTMENT OF STATE

CHERYL FELDMAN HALPERN, OF NEW JERSEY, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-THIRD SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

OVERSEAS PRIVATE INVESTMENT CORPORATION

ROSZELL DULANY HUNTER, OF VIRGINIA, TO BE EXECUTIVE VICE PRESIDENT OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION, VICE JOHN A. SIMON, RESIGNED.

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

DEBRA H. BURTON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

VANESSA A. BERRY
KEVIN M. BOYLE
TIMOTHY J. CODY
JOSEPH C. FETTERMAN
BRIAN J. GODARD
PATRICIA A. HAM
JOHN S. IRGENS
MARK L. JOHNSON
PAUL E. KANTWILL
JONATHAN A. KENT
CLAES H. LEWENHAUPT
JAMES M. PATTERSON
JEFFERY D. PEDERSEN
DAVID H. ROBERTSON
MARTIN L. SIMS
MICHAEL L. SMIDT
STEPHANIE L. STEPHENS
MARK TELLITOCCI
WALTER S. WEEDMAN
PAUL S. WILSON
GREGORY G. WOODS
SCOTT F. YOUNG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

ROBERT A. BORCHERDING
ROBERT A. BROADBENT
ERIC R. CARPENTER
CHRISTOPHER D. CARRIER
DANA J. CHASE
JOHN H. COOK
MICHAEL S. DEVINE
RICHARD P. DIMEGLIO
TIERNAN P. DOLAN
MARK E. EICHELMAN
DEIDRA J. FLEMING
JOHN S. FROST, JR.
PATRICK L. GARY
LANCE S. HAMILTON
DONNA C. HANSEN
STEPHEN L. HARMS
PETER R. HAYDEN
BRIAN A. HUGHES
RUSSELL K. JACKSON
JOHN P. JURDEN
ELIZABETH KUBALA
KATHERINE A. LEHMANN
JULIE A. LONG
DION LYONS
ELIZABETH G. MAROTTA
ALISON C. MARTIN
JEFFREY A. MILLER
JOSEPH B. MORSE
JOHN T. RAWCLIFFE
TRAVIS L. ROGERS
CARLOS O. SANTIAGO
DANIEL P. SAUMUR
JOSHUA S. SHUEY
DANIEL A. TANABE
JAMES J. TEIXEIRA, JR.
PETER H. TRAN
JAMES S. TRIPP
MARK A. VISGER
DOUGLAS K. WATKINS
WARREN L. WELLS
DEAN L. WHITFORD
DARYL B. WITHERSPOON
MICHAEL C. WONG

DISCHARGED NOMINATIONS

The Senate Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of the following nomination and the nomination was referred sequentially to the Committee on Homeland Security and Governmental Affairs pursuant to an order of 01/09/2007:

NEIL M. BAROFSKY, OF NEW YORK, TO BE SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET RELIEF PROGRAM.

The Senate Committee on Homeland Security and Governmental Affairs was discharged from further consideration of the following nomination and the nomination was confirmed:

NEIL M. BAROFSKY, OF NEW YORK, TO BE SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET RELIEF PROGRAM.

The Senate Committee on Foreign Relations was discharged from further consideration of the following nomination and the nomination was confirmed:

FOREIGN SERVICE NOMINATION OF DAVID J. STRAWMAN, TO BE CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, AND CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA.

CONFIRMATIONS

Executive nominations confirmed by the Senate Monday, December 8, 2008:

DEPARTMENT OF THE TREASURY

NEIL M. BAROFSKY, OF NEW YORK, TO BE SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET RELIEF PROGRAM.

IN THE AIR FORCE

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 major general

BRIG. GEN. DAVID J. SCOTT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. JAMES N. STEWART

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. JOHN C. KOZIOL

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 major general

BRIG. GEN. STEPHEN L. HOOG

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 ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GENERAL GINA S. FARRISEE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 3037:

To be lieutenant general

MAJ. GEN. SCOTT C. BLACK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY 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. JAMES H. PILLSBURY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. DAVID N. BLACKORBY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. JAMES E. ROGERS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. MARGARET W. BOOR

FOREIGN SERVICE

FOREIGN SERVICE NOMINATION OF DAVID J. STRAWMAN, TO BE CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, AND CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA.

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH DARRYL D. BYBEE AND ENDING WITH MARCO V. GALVEZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 26, 2008.

AIR FORCE NOMINATIONS BEGINNING WITH RICHARD BRINKER AND ENDING WITH NADIA C. SHOCKLEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 26, 2008.

AIR FORCE NOMINATION OF KATHLEEN V. REDER, TO BE MAJOR.

AIR FORCE NOMINATIONS BEGINNING WITH SAMANTHA S. BOUSIGUES AND ENDING WITH JOHN J. LINNETT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2008.

AIR FORCE NOMINATIONS BEGINNING WITH JOHN M. BEENE II AND ENDING WITH MARK E. SANBORN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2008.

AIR FORCE NOMINATION OF RICHARD W. JOST, TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATION OF CLEVIS T. PARKER, TO BE MAJOR.

IN THE ARMY

ARMY NOMINATION OF BRITT B. HILL, TO BE MAJOR.

ARMY NOMINATION OF KENNETH CARLSON, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH RAYMOND L. CAPPS AND ENDING WITH SHANE RUSSELLJENKINS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 26, 2008.

ARMY NOMINATIONS BEGINNING WITH ANTHONY H. SAVAGE AND ENDING WITH KARL F. WOODMANSEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 26, 2008.

ARMY NOMINATIONS BEGINNING WITH GRACE LACARA AND ENDING WITH CHESLEY D. OVERBY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 26, 2008.

ARMY NOMINATION OF JOHN F. KASEL, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH MAX L. DIVINE AND ENDING WITH NORMA TORRES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 26, 2008.

ARMY NOMINATIONS BEGINNING WITH MICHAEL L. NIPPERT AND ENDING WITH ROBERT C. TURNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 26, 2008.

ARMY NOMINATIONS BEGINNING WITH LAURENCE W. GEBLER AND ENDING WITH VISETH NGAUY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 26, 2008.

ARMY NOMINATION OF GREGG A. BLISS, TO BE COLONEL.

ARMY NOMINATION OF STUART A. MELLON, TO BE COLONEL.

ARMY NOMINATION OF ROBERT S. GATEWOOD, TO BE COLONEL.

ARMY NOMINATION OF STEVEN P. JAHNER, TO BE COLONEL.

ARMY NOMINATION OF WILLIAM H. SMITHSON, TO BE MAJOR.

ARMY NOMINATION OF JAMES O. MCLINNAHAM, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF GREGORY R. EBNER, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF PAUL E. WEBB, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH RANDY R. COTE AND ENDING WITH MICHAEL P. STEELY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2008.

ARMY NOMINATIONS BEGINNING WITH EROL AGI AND ENDING WITH PATRICK C. SEAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2008.

ARMY NOMINATIONS BEGINNING WITH RICHARD S. GLASS AND ENDING WITH VICTOR F. WALLACE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2008.

ARMY NOMINATIONS BEGINNING WITH JERZEY J. CHACHAJ AND ENDING WITH JOHN E. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2008.

ARMY NOMINATIONS BEGINNING WITH MALISSA A. HILL AND ENDING WITH SOMA R. WEBB, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2008.

ARMY NOMINATIONS BEGINNING WITH DWIGHT Y. SHEN AND ENDING WITH JEFFREY R. LONG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2008.

ARMY NOMINATIONS BEGINNING WITH MICHAEL C. AHN AND ENDING WITH RICHARD P. MARTIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2008.

ARMY NOMINATIONS BEGINNING WITH CHARLES K. ARIS AND ENDING WITH JOHN R. WORSTER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2008.

ARMY NOMINATIONS BEGINNING WITH ERIC C. BUSH AND ENDING WITH JON A. JENSEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2008.

ARMY NOMINATIONS BEGINNING WITH EDWARD J. BRIAND AND ENDING WITH JOHN C. SMITH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2008.

ARMY NOMINATIONS BEGINNING WITH MELANIE J. CRAIG AND ENDING WITH PAUL D. STONEMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2008.

ARMY NOMINATIONS BEGINNING WITH CYNTHIA J. ABBADINI AND ENDING WITH JUSTIN A. WOODHOUSE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2008.

ARMY NOMINATIONS BEGINNING WITH DERRICK F. ARINCORAYAN AND ENDING WITH D060674, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2008.

ARMY NOMINATIONS BEGINNING WITH WILLIAM J. ADAMS AND ENDING WITH D060291, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2008.

ARMY NOMINATIONS BEGINNING WITH RICHARD K. ADDO AND ENDING WITH D060598, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2008.

ARMY NOMINATIONS BEGINNING WITH KENNETH P. ADGIE AND ENDING WITH D070487, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2008.

ARMY NOMINATION OF LYNN F. ABRAMS, TO BE COLONEL.

ARMY NOMINATION OF CATHERINE A. OLIVER, TO BE MAJOR.

ARMY NOMINATION OF TIMOTHY S. ALLISONAIPA, TO BE MAJOR.

ARMY NOMINATION OF DANIEL A. STRODE, TO BE MAJOR.

ARMY NOMINATION OF JOSEPH S. SELKEN, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH THOMAS A. BRYANT AND ENDING WITH JAMES P. MCGINNIS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 19, 2008.

ARMY NOMINATIONS BEGINNING WITH JAMES A. GRIGGS AND ENDING WITH PAUL R. HUNT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 19, 2008.

ARMY NOMINATIONS BEGINNING WITH PETER H. GUEVARA AND ENDING WITH WALTER W. SHRATZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 19, 2008.

IN THE MARINE CORPS

MARINE CORPS NOMINATIONS BEGINNING WITH CHRISTOPHER M. BRANNEN AND ENDING WITH ERICH H. WAGNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2008.

IN THE NAVY

NAVY NOMINATION OF JOHN E. MURRAIN, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF DANA STOMBAUGH, TO BE CAPTAIN.

NAVY NOMINATION OF PAUL J. FOSTER, TO BE CAPTAIN.

NAVY NOMINATION OF DEBORAH A. HINKLEY, TO BE CAPTAIN.

NAVY NOMINATION OF MARK C. HOLLEY, TO BE COMMANDER.

NAVY NOMINATION OF MICHAEL C. COLLINS, TO BE COMMANDER.

NAVY NOMINATION OF CHANNING J. THOMAS, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF EVAN B. WILLIAMS, TO BE LIEUTENANT.

NAVY NOMINATIONS BEGINNING WITH GERALD C. LOWE AND ENDING WITH VICTOR D. OLIVER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2008.

NAVY NOMINATIONS BEGINNING WITH EDWARD J. ARRISON AND ENDING WITH CLEVIS T. PARKER, SR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2008.

NAVY NOMINATIONS BEGINNING WITH GREGORY R. ADAMS AND ENDING WITH DONOVAN B. WORTHAM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2008.

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, December 9, 2008 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

DECEMBER 10

10 a.m.

Health, Education, Labor, and Pensions

To hold hearings to examine prevention and public health.

SD–192

9:30 a.m.

Energy and Natural Resources

To hold hearings to examine investment in clean energy and natural resources projects and programs to create jobs and stimulate the economy.

SD–366

DECEMBER 11

10 a.m.

Homeland Security and Governmental Affairs

To hold hearings to examine a report from the Commission on the Prevention of Weapons of Mass Destruction, Proliferation, and Terrorism.

SH–216

Daily Digest

HIGHLIGHTS

See Resume of Congressional Activity.

Senate

Chamber Action

Routine Proceedings, pages S10789–S10820

Measures Introduced: Seven bills and three resolutions were introduced, as follows: S. 3718–3724, and S. Res. 721–723. **Page S10812**

Measures Reported:

Reported on Wednesday, November 19, during the adjournment:

Special Report entitled ''Activities of the Committee on Homeland Security and Governmental Affairs''. (S. Rept. No. 110–524)

S. Res. 707, authorizing the President of the Senate to certify the facts of the failure of Joshua Bolten, as the Custodian of Records at the White House, to appear before the Committee on the Judiciary and produce documents as required by Committee subpoena, with a preamble. (S. Rept. No. 110–522)

S. Res. 708, authorizing the President of the Senate to certify the facts of the failure of Karl Rove to appear and testify before the Committee on the Judiciary and to produce documents as required by Committee subpoena, with a preamble. (S. Rept. No. 110–522)

Report to accompany S. 967, to amend chapter 41 of title 5, United States Code, to provide for the establishment and authorization of funding for certain training programs for supervisors of Federal employees. (S. Rept. No. 110–523)

Report to accompany S. 3477, to amend title 44, United States Code, to authorize grants for Presidential Centers of Historical Excellence. (S. Rept. No. 110–525)

Report to accompany S. 1000, to enhance the Federal Telework Program. (S. Rept. No. 110–526)

S. 1695, to amend the Public Health Service Act to establish a pathway for the licensure of biosimilar biological products, to promote innovation in the life sciences, with an amendment in the nature of a substitute.

Measures Passed:

Collection of Clothing, Toys, Food, and Housewares: Senate agreed to S. Res. 723, to permit the collection of clothing, toys, food, and housewares during the holiday season for charitable purposes in Senate buildings. **Page S10819**

Appointments:

Mickey Leland National Urban Air Toxics Research Center: The Chair, on behalf of the Majority Leader, pursuant to Public Law 101–549, appointed the following individuals to the Board of Directors of the Mickey Leland National Urban Air Toxics Research Center: Jane Delgado, of the District of Columbia, and John Hiatt, of Nevada. **Pages S10818–19**

Advancing America's Priorities Act—Agreement: A unanimous-consent agreement was reached providing that at approximately 12 noon, on Tuesday, December 9, 2008, Senate resume consideration of the motion to proceed to consideration of S. 3297, to advance America's priorities. **Page S10819**

Nominations Confirmed: Senate confirmed the following nominations:

Neil M. Barofsky, of New York, to be Special Inspector General for the Troubled Asset Relief Program.

(Prior to this action, Committee on Banking, Housing, and Urban Affairs was discharged from further consideration, the nomination was referred to the Committee on Homeland Security and Governmental Affairs and discharged from further consideration.)

7 Air Force nominations in the rank of general.

6 Army nominations in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps, and Navy.

Routine list in the Foreign Service.

(Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Pages S10817–18, S10819–20

Nominations Received: Senate received the following nominations:

Brad Cole, of Illinois, to be a Member of the Board of Directors of the Corporation for National and Community Service for the remainder of the term expiring October 6, 2012.

Cheryl Feldman Halpern, of New Jersey, to be an Alternate Representative of the United States of America to the Sixty-third Session of the General Assembly of the United Nations.

Roszell Dulany Hunter, of Virginia, to be Executive Vice President of the Overseas Private Investment Corporation.

Routine lists in the Army. **Page S10819**

Messages from the House: **Page S10804**

Measures Read the First Time: **Page S10805**

Enrolled Bills Presented: **Page S10805**

Executive Communications: **Pages S10805–12**

Additional Cosponsors: **Page S10812**

Statements on Introduced Bills/Resolutions: **Pages S10813–16**

Additional Statements: **Page S10804**

Notices of Hearings/Meetings: **Page S10816**

Adjournment: Senate convened at 3 p.m. and adjourned at 6:14 p.m., until 10:30 a.m. on Tuesday, December 9, 2008. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S10819.)

Committee Meetings

(Committees not listed did not meet)

USDA FOOD ASSISTANCE AND CHILD NUTRITION PROGRAMS

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine United States Department of Agriculture (USDA) food assistance and child nutrition programs in the economic downturn, focusing on promoting health and fighting hunger, after receiving testimony from Eileen Kennedy, Tufts University Friedman School of Nutrition Science and Policy, Boston, Massachusetts; Mariana Chilton, Drexel University School of Public Health, Philadelphia, Pennsylvania; Mary Kay Fox, Mathematica Policy Research, Cambridge, Massachusetts; and Carolyn L. Duff, Richland County School District One, Columbia, South Carolina, on behalf of the National Association of School Nurses.

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House of Representatives

Chamber Action

The House was not in session today. The House is scheduled to meet at 11 a.m. on Tuesday, December 9, 2008, pursuant to section 2 of H. Con. Res. 440.

Committee Meetings

U.S. ECONOMY—ROLE OF CREDIT DERIVATIVES

Committee on Agriculture: Held a hearing to review the role of credit derivatives in the U.S. economy. Testimony was heard from public witnesses.

BRIEFING—MUMBAI/CYBER UPDATE

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Mumbai/Cyber Update. The Committee was briefed by departmental witnesses.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D1271)*

H.R. 6867, to provide for additional emergency unemployment compensation. Signed on November 21, 2008. (Public Law 110–449)

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. Signed on December 1, 2008. (Public Law 110–450)

H.R. 2040, to require the Secretary of the Treasury to mint coins in commemoration of the semicentennial of the enactment of the Civil Rights Act of 1964. Signed on December 2, 2008. (Public Law 110–451)

S. 602, to develop the next generation of parental control technology. Signed on December 2, 2008. (Public Law 110–452)

S. 1193, to direct the Secretary of the Interior to take into trust 2 parcels of Federal land for the benefit of certain Indian Pueblos in the State of New Mexico, and for other purposes. Signed on December 2, 2008. (Public Law 110–453)

COMMITTEE MEETINGS FOR TUESDAY, DECEMBER 9, 2008

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Oversight and Government, hearing on The Role of Fannie Mae and Freddie Mac in the Financial Crisis; followed by a mark up of a Committee Report regarding President Bush's assertion of executive privilege in response to the Committee subpoena to Attorney General Michael Mukasey, 10 a.m., 2154 Rayburn.

Select Committee on Energy Independence and Global Warming, hearing entitled ''The Energy Independence Implications of the Auto Bailout Proposal,'' 10 a.m., 2175 Rayburn.

CONGRESSIONAL PROGRAM AHEAD

Week of December 9 through December 13, 2008

Senate Chamber

On *Tuesday,* at 12 noon, Senate will resume consideration of S. 3297, Advancing America's Priorities Act.

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 Energy and Natural Resources: December 10, to hold hearings to examine investment in clean energy and natural resources projects and programs to create jobs and stimulate the economy, 9:30 p.m., SD–366.

Committee on Health, Education, Labor, and Pensions: December 10, to hold hearings to examine prevention and public health, 10 a.m., SD–192.

Committee on Homeland Security and Governmental Affairs: December 11, to hold hearings to examine a report from the Commission on the Prevention of Weapons of Mass Destruction, Proliferation, and Terrorism, 10 a.m., SH–216.

Resume of Congressional Activity

SECOND SESSION OF THE ONE HUNDRED TENTH CONGRESS

The first table gives a comprehensive resume 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 November 30, 2008

	Senate	*House*	*Total*
Days in session	171	116	..
Time in session	957 hrs., 33′	881 hrs., 48′	..
Congressional Record:			
Pages of proceedings	10,777	10,857	..
Extensions of Remarks	..	2,336	..
Public bills enacted into law	94	176	..
Private bills enacted into law	..	..	..
Bills in conference	4	5	..
Measures passed, total	571	990	1,561
Senate bills	108	93	..
House bills	175	424	..
Senate joint resolutions	4	4	..
House joint resolutions	4	3	..
Senate concurrent resolutions	23	6	..
House concurrent resolutions	38	94	..
Simple resolutions	219	366	..
Measures reported,* total	452	398	850
Senate bills	295	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	22	100	..
Special reports	7	8	..
Conference reports	1	4	..
Measures pending on calendar	661	89	..
Measures introduced, total	1,555	3,187	4,742
Bills	1,193	2,377	..
Joint resolutions	18	26	..
Concurrent resolutions	42	164	..
Simple resolutions	302	620	..
Quorum calls	3	2	..
Yea-and-nay votes	214	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 272 reports have been filed in the Senate, a total of 409 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 3 through November 30, 2008

Civilian nominations, totaling 504 (including 180 nominations carried over from the First Session), disposed of as follows:	
Confirmed	268
Unconfirmed	196
Withdrawn	40
Other Civilian nominations, totaling 2,970 (including 8 nominations carried over from the First Session), disposed of as follows:	
Confirmed	2,959
Unconfirmed	11
Air Force nominations, totaling 5,929 (including 5 nominations carried over from the First Session), disposed of as follows:	
Confirmed	5,904
Unconfirmed	24
Withdrawn	1
Army nominations, totaling 6,355 (including 19 nominations carried over from the First Session), disposed of as follows:	
Confirmed	5,640
Unconfirmed	714
Withdrawn	1
Navy nominations, totaling 4,723 (including 3 nominations carried over from the First Session), disposed of as follows:	
Confirmed	4,665
Unconfirmed	57
Withdrawn	1
Marine Corps nominations, totaling 1,566 (including 1 nomination carried over from the First Session), disposed of as follows:	
Confirmed	1,557
Unconfirmed	9

Summary

Total nominations carried over from the First Session	216
Total nominations received this Session	21,831
Total confirmed	20,993
Total unconfirmed	1,011
Total withdrawn	43
Total returned to the White House	0

Next Meeting of the SENATE

10:30 a.m., Tuesday, December 9

Senate Chamber

Program for Tuesday: After the transaction of any morning business (not to extend beyond 12 noon), 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

11 a.m., Tuesday, December 9

House Chamber

Program for Tuesday: To be announced.

Congressional Record

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