

The documents are as follows:

The foregoing writ of summons, addressed to Samuel B. Kent, United States District Judge, and the foregoing precept, addressed to me, were duly served upon the said Samuel B. Kent, by my delivering true and attested copies of the same to Samuel B. Kent, at Devens Federal Medical Center on the 24th day of June, 2009, at 4:30 p.m.

TERRANCE W. GAINER,
Sergeant at Arms.

Dated: June 24, 2009.

Witness: Andrew B. Willison, Deputy Sergeant at Arms.

I, Samuel B. Kent, Judge of the United States District Court for the Southern District of Texas, hereby tender my resignation as a Federal District Judge effective 30th June 2009.

SAMUEL B. KENT.

Dated 24 June 2009.

Witnessed: Terrance W. Gainer; 4:44 p.m., Andrew B. Willison.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Madam President, I ask unanimous consent that the Secretary of the Senate be directed to deliver the original statement of resignation executed by Judge Samuel B. Kent on June 24, 2009, to the President of the United States and to send a certified copy of the statement of resignation to the House of Representatives.

I further ask unanimous consent that a copy of the statement of resignation be referred to the Impeachment Trial Committee on the Articles Against Judge Samuel B. Kent established by the Senate on June 24, 2009.

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

ORDER OF BUSINESS

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Madam President, there will be no more votes today. We will have no session tomorrow. When we come back a week from Monday, we will have a number of votes beginning at 5:30.

As I have told everyone more than once, the next 5 weeks after we get back are going to be jam packed with stuff to do. Members should understand that we will have votes on Mondays and Fridays, with one exception which has already been announced: It is July 17. We hope we don't have to have weekend sessions. We have a lot to do. Everyone knows the workload we have. I would hope that we understand the amount of work we have to do. We are going to be in a week longer than the House of Representatives, as everyone knows. Because of our rules, we can't move as quickly as they do. We have an immense amount of work to do. We have the Sotomayor nomination. We have Defense authorization that was reported out of committee today by Senators LEVIN and MCCAIN. That is something that is very important for the military and to the American people. We have other appropriations bills we have to work on. We have health care. We are going to move as far as we

can on that during that period of time. So we have a lot of work to do.

Also, on July 14, there will be no votes after 2 p.m. These are arrangements I made with one of the Senators, and this will be good for the entire body. So there will be no votes after 2 p.m. on July 14.

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2010—Continued

AMENDMENT NO. 1366 TO AMENDMENT NO. 1365

Mr. MCCAIN. Madam President, I have an amendment at the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN] proposes an amendment numbered 1366 to amendment No. 1365.

Mr. MCCAIN. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To strike the earmark for the Durham Museum in Omaha, Nebraska.)

On page 27, strike lines 5 through 10 and insert "mission."

Mr. MCCAIN. Madam President, the amendment is very simple. It strikes from the bill an earmark of \$200,000 for the Durham Museum in Omaha, NE. Let me be very clear. I hold no grudge against the museum or the sponsor of this earmark. On the contrary, I hold my colleagues from Nebraska in very high esteem, and I have no doubt that the museum does wonderful work. Thanks to modern technology and Wikipedia, it has a very nice description of the Durham Museum, formerly known as the Durham Western Heritage Museum in downtown Omaha, NE, dedicated to preserving and displaying the history of the U.S. western region and it is housed in Omaha's Union Station.

I am sure it is a very fine place. I am sure it gets lots of visitors from all over the great State of Nebraska. The only problem is, as I understand from reading the bill, which sometimes some of us don't do, this is a bill that is entitled "Making Appropriations for the Legislative Branch for the Fiscal Year Ending September 30, 2010, and for Other Purposes." Well, obviously, the distinguished manager of the bill found another purpose but certainly none that has the slightest connection to the city of Omaha or the State of Nebraska, except the Senator happens to be from that State. He maybe even resides in that city.

The reason I am taking the floor is because Americans are hurting right now. Americans all over this country are hurting right now. I go downtown in my city, my hometown of Phoenix, AR, and I see people closing store fronts. I see people not able to make their house payments or people not

able to pay their medical bills, and \$200,000 would mean a lot to them; \$200,000 is not a small sum.

So the fact is, I don't question the merits of the program. I don't question that the Durham Museum is probably a nice place to visit. I do question when we are going to stop earmarking porkbarrel projects because of the influence or clout of Members of the Senate.

I want to repeat, I do not question that this museum is a fine museum. I do question—and any objective observer would question—how in the world that has a place on appropriations of the taxpayers' dollars for the legislative branch. I don't think the Durham Museum is in the legislative branch of government unless I am badly mistaken, and I am sure I am not.

Here we are with trillions of dollars of deficit—\$1.2 trillion for TARP, \$410 million for the Omnibus appropriations bill, which was loaded with 9,000 unnecessary and wasteful earmarks, tens of billions of dollars to the domestic auto manufacturers, and we passed a budget resolution totaling \$3.5 trillion. Now we have a bill totaling \$3.1 billion to run the legislative branch of government.

As has been widely trumpeted, this bill is less than that requested. What it is also, though, is 3 percent more than it was last year. How many Americans are able to get 3 percent more money than they had last year? It is over \$76 million more than last year's bill. So is this a big deal, \$200,000? Probably not, with the trillions of dollars that we seem to throw around here.

But I am serving notice on my colleagues that I and some of my other colleagues are going to come to the floor and challenge these earmarks. We have to stop doing business as usual while we are committing generational theft and mortgaging our children's future.

Since it is going to be about 10 days or so before we will have a vote on this amendment—as the majority leader mentioned, we are not going to have anymore votes—I ask unanimous consent that before the vote I have 5 minutes and the Senator from Nebraska have the time he needs before the vote that will take place at the pleasure of the majority leader.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCAIN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. MCCAIN. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. NELSON of Nebraska. Madam President, I respect greatly my colleague from Arizona and his concern about spending. As was noted, the increase in the spending requested in the