

Mr. ISSA. A further inquiry: Would this cover anyone in the House or in the Senate who had voted on a pay package in the House or in the Senate so that they could then become the Secretary of State?

Mr. DAVIS of Illinois. As written, it does not.

Mr. ISSA. So who would it be limited to?

Mr. DAVIS of Illinois. It would be limited to those in the position of Secretary of State.

Mr. ISSA. So it would be limited to the Secretary of State. Regardless of where they came from, they would be frozen at this year's pay as a result of this bill?

Mr. DAVIS of Illinois. That is correct.

Mr. ISSA. A last inquiry: If I understand correctly then, in every way possible, this piece of legislation passed in this Congress would, by definition, by freezing the pay, actually be, though relatively small, a savings to the taxpayers?

Mr. DAVIS of Illinois. Correct, it would.

Mr. ISSA. With that, I withdraw my reservation.

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

There was no objection.

The text of the Senate joint resolution is as follows:

S.J. RES. 46

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. COMPENSATION AND OTHER EMOLUMENTS ATTACHED TO THE OFFICE OF SECRETARY OF STATE.**

(a) IN GENERAL.—The compensation and other emoluments attached to the office of Secretary of State shall be those in effect January 1, 2007, notwithstanding any increase in such compensation or emoluments after that date under any provision of law, or provision which has the force and effect of law, that is enacted or becomes effective during the period beginning at noon of January 3, 2007, and ending at noon of January 3, 2013.

**(b) CIVIL ACTION AND APPEAL.—**

(1) JURISDICTION.—Any person aggrieved by an action of the Secretary of State may bring a civil action in the United States District Court for the District of Columbia to contest the constitutionality of the appointment and continuance in office of the Secretary of State on the ground that such appointment and continuance in office is in violation of article I, section 6, clause 2, of the Constitution. The United States District Court for the District of Columbia shall have exclusive jurisdiction over such a civil action, without regard to the sum or value of the matter in controversy.

(2) THREE JUDGE PANEL.—Any claim challenging the constitutionality of the appointment and continuance in office of the Secretary of State on the ground that such appointment and continuance in office is in violation of article I, section 6, clause 2, of the Constitution, in an action brought under paragraph (1) shall be heard and determined by a panel of three judges in accordance with section 2284 of title 28, United States Code. It shall be the duty of the district court to advance on the docket and to expedite the disposition of any matter brought under this subsection.

**(3) APPEAL.—**

(A) DIRECT APPEAL TO SUPREME COURT.—An appeal may be taken directly to the Supreme Court of the United States from any interlocutory or final judgment, decree, or order upon the validity of the appointment and continuance in office of the Secretary of State under article I, section 6, clause 2, of the Constitution, entered in any action brought under this subsection. Any such appeal shall be taken by a notice of appeal filed within 20 days after such judgment, decree, or order is entered.

(B) JURISDICTION.—The Supreme Court shall, if it has not previously ruled on the question presented by an appeal taken under subparagraph (A), accept jurisdiction over the appeal, advance the appeal on the docket, and expedite the appeal.

(C) EFFECTIVE DATE.—This joint resolution shall take effect at 12:00 p.m. on January 20, 2009.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

□ 2100

**THE TERRORIST ATTACKS IN MUMBAI, INDIA**

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. In the recent week, we watched in horror as terrorists, criminals, and people who are uncaring attacked the innocent people of Mumbai, India—a band of 10, attacking innocent persons in hotels, traveling to hospitals and to train stations, going to the Chabad religious community and killing recklessly.

Mr. Speaker, this should be a signal that we have to join together to again confront those who would terrorize the world. I know that this is going to be a place of conflict—Pakistan, Bangladesh, and India—but it is important for us to recognize that the people of India want peace, the people of Pakistan want peace, and the Bangladesh want peace, and the people in the Middle East want peace. But we must weed out those who would terrorize us. We need to join together in the effort of stamping out terrorism and meanwhile continue to secure the homeland.

**SPECIAL ORDERS**

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

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

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

**HOUSTON POLICE OFFICER  
TIMOTHY ABERNETHY**

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

Mr. POE. Mr. Speaker, for Houston police officer Timothy Abernethy, fighting crime was more than an occupation; it was his personal calling. Officer Abernethy was part of a special effort through the Houston Police Department to place more peace officers in high crime areas, which is why he was in an area of town that others tend to shy away from when he was shot and killed this past Sunday, December 7.

Working overtime and in a one-man patrol unit, Abernethy had pulled over a 28-year-old male for a traffic violation. As the man and the officer talked, the individual made a run for it and Officer Abernethy pursued him on foot through a nearby northwest Houston apartment complex. Tragically, the coward of a man, who happened to be out on parole, hid and ambushed Abernethy shooting him four times and killing him. The criminal has been apprehended and is charged with capital murder of a peace officer.

Officer Abernethy graduated May 27, 1997, from the Houston Police Academy, Class 170. During his 11-year HPD career, he was assigned to patrol at the North Command station and served with the HPD Search and Recovery Dive Team. Recently, Abernethy was part of an HPD bomb squad and was due to be transferred full-time to this squad.

Officer Abernethy is remembered as a giving person. His Captain, Ceaser Moore, recalls a time during Hurricane Ike this past fall when his power was out for weeks, and even though Abernethy already had his in-laws staying with him, he invited Captain Moore to stay with him until electricity was restored.

Officer Abernethy was the type of person who worked hard not only to improve his community but also himself. He worked successfully to obtain a degree while he was a member of the Houston Police Department.

Prior to joining the Houston Police Department, Officer Abernethy served in the United States Navy in the Submarine Corps.

Officer Abernethy is survived by his wife Stephanie, his son Timothy Scott Abernethy, Junior, and his daughter Olivia Ann Abernethy.

His only son, Tim, Jr., followed in his father's footsteps and joined the United States Navy so that he, too, could serve his country. Abernethy's daughter Olivia is a 2008 graduate of Texas A&M University in College Station, Texas.

Officer Abernethy was a man of honor who was dedicated to making our world a safer place for the rest of us. He will be greatly missed by citizens and peace officers alike. He was one of Houston's finest. Mr. Speaker, he was a cut above the rest of us.

His funeral will be this Friday in Houston, Texas, and his fellow officers will wear their black cloth of sacrifice across their badges. Peace officers are the last strand of wire in the fence between the law and those that violate the law.

Officer Timothy Abernethy lived and died serving the people of Texas and the City of Houston.

And that's the just way it is.

#### THE AUTO INDUSTRY FINANCING AND RESTRUCTURING ACT

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

Mr. CUMMINGS. Mr. Speaker, I rise tonight to commend Chairman BARNEY FRANK, the House leadership, and the administration for working together to bring relief to the automobile industry and millions of workers. By passing the Auto Industry Financing and Restructuring Act, H.R. 7321, we took the monumental step of both saving jobs and setting the U.S. automotive industry on a path that will make it globally effective, efficient, and competitive. And equally important, we established a new standard of accountability that must be enforced for any institutions seeking government assistance.

For months, the Federal Government has been blindly throwing money at nearly every financial institution that blinks with no written requirements on how that money is to be used and with no written standards of transparency or accountability. In response, these institutions have taken hundreds of billion of taxpayer dollars and continued to do business as usual: the business of partying at the spa, getting their facials and manicures, getting millions in retention payments and spending hundreds of millions of dollars on sports sponsorships.

This type of mismanagement of taxpayer funds has left the American people suffering from bailout fatigue. I get that. I have been one of the most vocal critics of this distribution of top funds to date.

However, today's legislation is completely different. The automakers have been forced to leap over 5 million hurdles to even be considered to receive a loan. And with every demand we have made of them, these companies have willingly obliged.

We cannot have one standard for white collar employees and a different standard for blue collar employees. We need to have strict standards for every one.

The legislation passed today includes very important oversight provisions to protect taxpayer dollars, such as prohibiting golden parachutes and capping executive bonuses. It also establishes a "car czar" position to hold these companies accountable for developing and implementing viable long-term restructuring plans and ensuring compliance on financing efforts.

And yet despite these requirements, there are some who will still believe that assisting the Big Three is a continuation of throwing good money after bad. I strongly disagree. With one in ten American jobs tied to the auto industry, this should not be considered a waste of money. We're talking about 3 million jobs expecting to be lost within a year if the auto industry goes down. With men and women across America continuing to struggle to keep roofs over their heads, to make ends meet, we simply cannot afford to lose these jobs.

Lastly, the Bureau of Labor Statistics released a report showing the loss of 533,000 jobs in November, the highest single month loss in 34 years, and one of the most dismal reports in the Bureau's 124-year existence.

These figures were simply staggering, and we can and we must do better. And by passing this legislation today, we are taking a first step in doing so.

For this reason, I urge my colleagues in the Senate to quickly consider H.R. 7321 and enact this much-needed legislation as soon as possible. I ask them, and I hope they will have more faith in our automobile industry, and I encourage all of my colleagues to continue the strict standards of accountability as we move forward.

With that, I yield back.

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

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

#### ECUADOR FACING HUMANITARIAN AND ENVIRONMENTAL CRISES

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

Mr. MCGOVERN. Mr. Speaker, I have just returned from a remarkable trip to Ecuador. From November 8 through 13, I traveled through northern Ecuador looking at the refugee crisis on its border with Colombia and on the effects of oil contamination on the land and people of the Amazon basin.

I saw firsthand the terrible human and environmental costs that have resulted from the decades-long failure to properly clean the contamination left by oil drilling and production. Specifically, the sites I visited were those that were under the control of Texaco, now Chevron. I visited oil pits that were poorly constructed, poorly remediated, or remediated not at all. This has left a toxic legacy for poor campesinos and indigenous peoples.

I also saw the infrastructure that Chevron/Texaco created that allowed for the wholesale dumping of formation water and other highly toxic materials directly into the Amazon and its waters.

As an American citizen, the degradation and contamination left behind in a poor part of the world by this U.S. company made me angry and ashamed.

The drinking water for thousands of poor people is horribly unfit, even deadly. Children are drinking and bathing in water that reeks of oil. In one village, San Carlos, I couldn't come across a family that hasn't been touched by cancer. Mothers brought their children to show me the terrible rashes and sores that covered their bodies.

A lawsuit has been filed against Chevron by 30,000 Amazon residents demanding that the company accept responsibility for substandard production practices and help with the clean-up efforts. Chevron, for its part, asserts it was released from responsibility in the 1990s, and the release remains in legal dispute.

Neither Congress nor the United States Government should get involved in a legal matter that will soon be decided in a court of law. But as the years pass and nothing is done, the situation on the ground has become more and more desperate for thousands of poor people, and the pollution spreads deeper into the soil, the water, and the Amazon basin.

I firmly believe these people and their environment need help and they need help now.

As I traveled further north towards the border frontier, I found a growing humanitarian and security crisis. Eight years ago, the United States started pouring military aid—\$4.8 billion of it—into Colombia, much of it focused on military operations in the violent coca growing zones just across the border from Ecuador.

The result has been an alarming spillover of violence into Ecuador's peaceful but impoverished borderlands. Over 200,000 Colombians—a number rivaling many refugee crises in Africa—have fled to Ecuador to escape the violence and intense fighting between guerrilla groups, the Colombian military, and Colombian paramilitary militias.

As the GAO recently reported, harsh U.S. counter-drug strategies have failed to halt cocaine production in Colombia or ease the violence that comes with this illegal economy. Instead, organized crime has been pushed across the border into Ecuador.

Mr. Speaker, I stood on the banks of the San Miguel River, which marks the border between Putumayo, Colombia, and Sucumbios, Ecuador. Only a few hundred yards of water separate the two.

Mr. Speaker, Colombia's war is literally bleeding, violently, into Ecuador, which has no history of illegal drug cultivation or insurgency from its own people. Tensions between the two nations are high and diplomatic relations remain cut off.

The refugee communities that I spoke with in Lago Agrio, Barranca Bermeja, and Puerto Mestanza feel abandoned and discriminated against.