Delaying is not acceptable. And so I ask all Senators, every Senator, to do the right thing for this country—your country, our country—and support this measure.

Madam President, I ask unanimous consent to have printed in the RECORD information related to rule XLIV of the Standing Rules of the Senate for title I of S. 3689.

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

## CONGRESSIONALLY DIRECTED SPENDING ITEMS

Account	Project	Funding	Member
subcommittee on agriculture, rural development, food and drug administration, and related agencies			
Department of Agriculture: Farm Service Agency	Agricultural crop disaster assistace		Senators Landrieu, Hutchison, and Vitter.
	SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT		
Department of Energy	Extend a certain cooperative agreement to carry out the FutureGen program		Senators Durbin and Bond
	SUBCOMMITTEE ON FINANCIAL SERVICES AND GENERAL GOVERNMENT		
GSA	District of Columbia, DHS Consolidation and development of St. Elizabeths campus	\$346,639,000	The President, Senators Lieberman and Collins

Mr. BYRD. I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

## TRIBUTE TO SENATORS

ELIZABETH DOLE

Mr. McCONNELL. Madam President, it is my sad task today to say farewell to our friend, the Senator from North Carolina, ELIZABETH DOLE. It is hard to know where to begin with a woman who has done it all and is admired across America.

There is an old saying that all politics is local. That is true even for the Senator from North Carolina, who was the first viable female candidate for President, held two different Cabinet positions, and worked for four Presidents. You see, ELIZABETH's first campaign was for the presidency of her third grade Bird Club. She won that race.

ELIZABETH began impressing many early on as she earned her bachelor's degree from Duke University and both a master's and a law degree from Harvard. Of the 550 members of her Harvard Law class, only 29 were women.

From there, ELIZABETH went to the White House Office of Consumer Affairs, and then the Federal Trade Commission. In 1972, she met a Senator from Kansas when she lobbied him on a consumer-affairs issue.

In 1975, ELIZABETH and Bob Dole were married in Washington Cathedral, creating one of the most prominent and successful partnerships in American public life.

ELIZABETH later headed President Reagan's Public Liaison Office, and then in 1983 became his Secretary of Transportation. She served for 4½ years, longer than any previous transportation secretary at that time. And as transportation secretary, she was fond of pointing out that she was the first woman to ever head a branch of the Armed Services: the Coast Guard.

When her husband Bob introduced ELIZABETH at her confirmation hearings, he displayed some of his trade-

mark wit by remarking, "I only regret that I have but one wife to give for my country's infrastructure."

When ELIZABETH had her turn at the microphone, she got him right back. She assured the committee that she knew all about airbags, because she had been driving around with one for years.

In 1989, ELIZABETH became one of the few Americans honored to lead more than one Federal department by becoming the first President Bush's Secretary of Labor. Among the highlights of her tenure there was playing a key role in resolving a bitter 11-month coal strike in southwest Virginia.

I would even go so far as to say that ELIZABETH was the second-best Secretary of Labor this country's ever had.

ELIZABETH went on to become the president of the Red Cross, and revitalized that important institution. And of course, she became a familiar face to all Americans in 1996 when Bob became the Republican nominee for President of the United States, and when ELIZABETH blazed yet another trail in 2000 as the first viable female candidate for that same office.

During her time here in the Senate, ELIZABETH used the same desk her husband used. From behind that desk, she has been a powerful advocate for her State and her country.

North Carolinians can be proud of her record to strengthen our military and to support military personnel and veterans. She worked to craft a farm bill to benefit North Carolina agriculture. She has done much to address hunger in America, by championing tax incentives to encourage volunteerism and charitable giving, and through grant programs to benefit food banks and relief organizations.

The "Dole" in the McGovern-Dole International Food for Education and Child Nutrition Program may be for her husband, Bob, as the program is named after him and former Senator George McGovern. But it was ELIZA-BETH DOLE who secured more than \$400 million for the McGovern-Dole program to go toward school-feeding and child-nutrition programs in the world's poorest countries.

Let me take this moment to say, on behalf of my wife Elaine and myself, that ELIZABETH and Bob have been dear friends of ours for many years. In fact, had it not been for ELIZABETH, Elaine probably never would have come to Washington in the first place, therefore I obviously never would have met her, so I feel a special obligation to—and thanks to—Senator Dole for that. We value their friendship, and I know we will continue to do so for many years to come.

ELIZABETH, I want to thank you for always bringing wisdom, grace and integrity to this chamber. Over decades of accomplishments in many prominent posts, you have served the people of America and of North Caroline extremely well.

I know your constituents are proud, and Bob is proud, of your service. Elaine and I wish you both well in whatever the future has in store for you. And we look forward to hearing all about it.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mrs. DOLE, Madam President, I wish to express my deepest thanks for the very kind words of the distinguished "gentleman" from Kentucky. I feel very close to this gentleman because we have been very good friends for so many years. Certainly your wife, Elaine Chao, who is doing a tremendous job as Secretary of Labor, has been a friend for many years. In fact, we worked together at the Department of Transportation as colleagues and then also when she was president of United Way and I was president of the American Red Cross. So our paths have continued to cross in terms of our professions but also in terms of personal relationships and the warmth and friendship.

MITCH, I can't tell you how proud I am of your leadership as the Republican leader, and I am so proud you have been reelected by your colleagues. You do a tremendous job. You are a master of the Senate. Through the years, you and I have had a chance to work together on many issues. Of course, it was my privilege early on-I believe in my first year in the Senate to visit the University of Louisville and the McConnell Center for Political Leadership and to speak to the McConnell Scholars. That is just one of many things you are doing to help others outside the Senate as well as the tremendous work within the Senate.

Just know I treasure your friendship. I look forward to being in close touch

and hope there will be many other initiatives on which we can work together, Elaine and Bob and I, in the years to come. Thank you so much for those most kind words wishing me well. I wish you all the very best.

Mr. McConnell. Madam President, you just witnessed the classic Elizabeth Dole. I came out here to do a tribute to her, and she turned around and did a tribute to me. This is, I would say, indicative of the way Senator Dole has conducted herself in public life throughout her service. We are going to miss her in the Senate, but I know she will continue to make important contributions to our country.

We revere your legacy and look forward to continuing our friendship in the coming years.

Mrs. DOLE. Thank you so much.

GORDON SMITH

Mr. McConnell. Madam President, I rise with sadness to say goodbye to our friend the Senator from Oregon, Gordon Smith. For 12 years, he has made the people of Oregon proud by serving as a model legislator: thoughtful, independent, and focused on getting results for our country and his State.

Gordon heard the call to serve others early in life, becoming an Eagle Scout as a boy and taking a 2-year mission to New Zealand for his church. He earned his bachelor's degree at Brigham Young University and his law degree at Southwestern University.

He then bought back the family business, a frozen vegetable company, and transformed it into one of the largest and most profitable in the country. With GORDON's departure, we are losing the Senate's only member of the Frozen Food Hall of Fame.

GORDON's desire to serve led him to run for the Oregon State Senate in 1992. His peers recognized the star in their midst when they elevated him first to minority leader, then to Senate president during his first term in office

GORDON then entered a special election to fill a vacant U.S. Senate seat. Election day fell in January 1996, and GORDON lost that race—the winner was our colleague, his fellow Senator from Oregon.

But then GORDON did something no one else has ever done, and proved to the people of the Beaver State how much he cared about making sure every Oregonian's voice was heard in Washington.

He ran for the Senate again in the regularly scheduled election later that year, making him the only American in history to run for two Senate seats in the same year. The people of Oregon gave him their trust and GORDON has never let them down.

Oregonians can rightfully be proud of his conservation record, as he championed legislation to successfully secure the protection of 170,000 acres of wilderness on Steen Mountain and the Bull Run watershed. While protecting our natural resources, he also understands the importance of the many working Oregonians who depend on his State's natural resources for their livelihood. The foremost example of his work in that regard is his tireless effort to protect the farmers of the Klamath Basin area, and keep their agricultural lands in production.

He has fought to lower the number of uninsured and drive healthcare costs down, and has been a tireless advocate for the disabled and mentally ill.

He has sponsored legislation to strengthen the prosecution of child-exploitation cases, fought for new protections against Internet predators, and led the effort to increase funding for programs that help victims of rape, sexual assault and domestic violence.

GORDON has also been a leading voice on issues of education, and has fought to secure rural schools throughout Oregon. And he has fought for lower taxes, so more Oregonians can keep more of what they earn.

But there is one issue in particular where Gordon led the way in a very personal manner for a cause close to his heart. In 2003, Gordon's son, Garrett, committed suicide just one day before his 22nd birthday.

The torment a parent must feel after losing a child must be the worst horror imaginable. No amount of sympathy, no words, nothing any of us could do could possibly ease the pain in GORDON's and his family's hearts.

Yet even in his grief, GORDON showed us the strength of his character when he wrote about his loss in his moving memoir, "Remembering Garrett." And he channeled his sadness into successful legislation, the Garrett Lee Smith Memorial Act, to create screening programs to identify and help youths at risk for suicide.

I'll never forget his powerful words on behalf of that legislation in this very chamber. He said:

[There's] no owner's manual to help you bury a child, especially when the cause is suicide. So I've committed myself to trying to find meaning in Garrett's life.

GORDON, with that brave act you prevented the tragedy of suicide from befalling countless other families. I can think of no more profound example of strength and leadership than that.

Every Senator knows what a pleasure it is to work with GORDON. He believes we were sent here to find solutions, not confrontations. And for every day he has served in public office, finding solutions has been his goal.

GORDON, it has been a privilege to work with you these many years, and to spend time with you and your wife Sharon. America is a stronger Nation thanks to your dedication and spirit of public service. Please don't forget you have many friends here, and we all wish you well in your bright future.

The PRESIDING OFFICER (Ms. CANTWELL). The Senator from Oregon is recognized.

Mr. SMITH. Madam President, I thank my leader, MITCH MCCONNELL.

Winston Churchill observed that "Democracy is not always a polite employer." That is the case in my reelection effort. Yet I feel nothing but gratitude to the people of my State.

I acknowledge the wisdom of the people of Kentucky in your reelection and of the wisdom of my colleagues for electing you again as our leader. You are an articulate advocate for causes that I think are important for America not to forget in the coming days. It is one of the high privileges of my life that I have been able to serve with you as a friend and as a colleague.

I thank you and I thank my Senate family, without respect to party, for the help that was given to Sharon and me at the most painful time of our lives—to find additional meaning in the life of our son by helping the sons and daughters of others. I hope and pray that my Senate colleagues, while I am gone, will not forget those who struggle with mental illness. I am so proud of Senator Domenici, Senator KENNEDY, and others who championed mental health parity. It has been a privilege to be on their team in this cause. It is a silent cause. It is one that does not get a lot of ink or much attention because America is still opening its mind to this important area of medicine. But we have blazed a new trail, and much of it was because of your leadership, sir.

For the privilege of serving with you, of serving my State, of serving with these colleagues here, I thank God and I thank the State of Oregon and I say God bless America.

Mr. McConnell. Madam President, may I just add a word to my friend from Oregon. He has had an extraordinarily successful tenure here. In my view, I would say to my friend from Oregon, you can always look back on these 12 years with a sense of accomplishment. You have been a major player in this institution on a variety of different, extremely important matters that will affect each generation to come. So on behalf of all of our Republican colleagues, and I am sure on behalf of everyone in the Senate, I thank you for your extraordinary service.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, before the Senator leaves the floor—I am sorry I had to leave, I was called away from my desk—I wanted to say through the Chair to my friend GORDON SMITH that I, of course, watched all the election results very closely. But my wife watched one election result, and that was yours, because of the longstanding relationship she has with you and Sharon. The record is very clear of our longstanding friendship and our having had a similar experience with our loved ones following suicide.

I am sorry I didn't have more time to maybe write something out that may have been more meaningful, but I hope the Senator from Oregon will always understand the affection, respect, and admiration I have not only for what you did in your Senate service but for what you do in your personal life.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. Let me say as well, I don't have a prepared statement to make, either, but I want to tell my friend from Oregon how much I have enjoyed my work with him over the years on a number of very important issues dealing with the issue that the Senator can speak of not only with eloquence but with a great deal of passion, and that is the issue of mental illness. We were able to pass, in the waning days of our session, of course, the mental health parity bill. How important that was. Pete Domenici. Ted Ken-NEDY, Paul Wellstone, and others worked on it. but GORDON SMITH was invaluable in that discussion.

I enjoyed immensely my work with him during his two terms in the Senate. I will say to my friend, the good Lord is not through with you yet. There are a lot of things you can do for our country. You have done a lot already. So I hope you come back often and see us and know you have friends who care about you and cherish you very much. Although there is an aisle here that separates us politically, the aisle doesn't exist when it comes to respect and admiration. In those terms, I am your seatmate in terms of my respect for you. I thank you for all you have done.

## JOHN SUNUNU

Mr. McConnell. I also rise today to say farewell to the Senator from New Hampshire, John Sununu. Although John is the youngest Senator, he is one of our brightest. A reporter once wrote that one of John's fellow Senators said that if we were ever to lose John, the rest of us would have to argue over who would be the smartest person in the Senate. But as long as we had John around, there was no argument.

JOHN impressed people at a young age, earning both a bachelor's and master's degree in mechanical engineering from MIT and an MBA from Harvard. He received real-world experience working as an engineer in jobs I daresay few of our colleagues could try to explain, myself included.

Then one day a seat from New Hampshire in the House of Representatives opened up, and John took a good long look at it. John has never been the kind of man who felt he deserved a job on the public payroll. He did not crave the power and respect that came with holding office. Yet we are certainly thankful his great State has sent him here.

Now, 12 years later, I think we can say with confidence that New Hampshirites could not have had a more dedicated and principled public servant.

After 6 years of service in the House, New Hampshire sent John to this Chamber in 2002. To reach the Senate, he had to face an incumbent Senator in the primary and then a sitting Governor in the general. Since then, John has compiled a record of which every citizen of the Granite State can be proud

A student of the free market, JOHN strongly believes lower taxes promote growth and expand opportunities. That is why he fought so hard to extend the ban on taxes to access the Internet. That tax ban was signed into law, and it protects consumers from taxes on Internet access, e-mail, and instant messaging for 7 years.

Just think, if online communications and commerce grow as rapidly over the next 7 years as they have over the past 7, JOHN's tax ban will not only have promoted economic growth, it will have spared countless small businesses and families from a tremendous burden. For that, he deserves all of our thanks.

JOHN's voice was one of the loudest to say that we must tackle tough issues now, such as entitlements and the future of Social Security. He stood up time and again, calling on Congress to reduce Government spending, expand telecommunications service to rural areas, and clean up air pollution.

He also learned firsthand the principle that has made America great, our commitment to personal freedom. It is what this country was founded on. John understands what makes America work is not what we do in this Chamber but what millions of Americans do every day for their families and communities.

JOHN is a kind and compassionate man who is a joy to know. I remember well when the senior Senator from Pennsylvania underwent chemotherapy in 2005 as part of his treatment for Hodgkin's disease.

Like many chemotherapy recipients, the Senator from Pennsylvania's hair fell out. In a generous act of solidarity with his colleague, JOHN shaved his head. That certainly took more commitment than sending a get-well card. But that is JOHN SUNUNU.

JOHN, I am going to miss you. It has been an honor to work by your side over these past 6 years. It has been a joy to know you, your lovely wife Kitty, and your family.

I want them and you to know that we in the Senate admire the depth of your convictions and the strength of your heart. I am sure that whatever the future holds for you, you will be a huge success.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. SUNUNU. Madam President, I ask unanimous consent to speak for a few minutes in response to the very kind remarks of the Republican leader.

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

Mr. SUNUNU. First, it is probably appropriate for me to note that the haircut that I now sport is an echo of that summer a couple of years ago when I cut my hair, or cut all of my hair, in tribute to the sacrifice and the celebration of the final chemotherapy treatment of Senator Specter.

He underwent another round of chemo this past summer. In the middle of the campaign, I did not think it was appropriate to shave my head. So the day after the election, 2 weeks ago, I thought there was some pent-up demand in my own heart to remember those tough weeks for ARLEN SPECTER. So I was happy to go out and shave my head again. That is why it looks a little bit different than it might have during the campaign.

The Republican leader has been very kind in his remarks. And I cannot help but note that I am a little bit too young to have anyone paying tribute to my career, as it were, in public service. I believe very strongly that you go out, you find work that you love, a job that teaches you great things, and if you have some opportunity to serve your community, your State, your country in public service, then you think seriously about that opportunity.

That is how I came to the House and even my work in the Senate. I am going to have the opportunity to go back and do things that I find challenging being an engineer, coming out of a small business community. I know there are a lot of great challenges and opportunities that await. But I also know there may come another time when there is an opportunity to serve, and I will always take those opportunities very seriously.

On election night, whether you win or lose, you always thank the people who matter most to you. You thank your family, you thank the people of the State of New Hampshire who have been good enough to give you the privilege to serve, but you also thank the people who made your work possible in the Senate, your colleagues. I cannot think of any colleague who has been more supportive and more helpful to me over the 6 years I have been in the Senate than Senator MITCH MCCONNELL of Kentucky.

The Senator mentioned my work on the Internet tax ban, but the Senator from Kentucky did not mention his own work. This was a case where it helped to have someone with Senator McConnell's leadership and experience because while I waited patiently in the midst of a reauthorization of the Amtrak bill, once we had the opportunity to offer amendments, I happened to be prepared with an amendment that would ban taxes on Internet access. And the leader from Kentucky just happened to be prepared with a motion to close debate on that amendment so we could finally get a vote.

While that procedure may sound very arcane to people who may be listening to the Senate debate at home, it was absolutely essential in bringing that issue to a successful completion. So only by working closely with the Senator from Kentucky were we able to get that work done on the Internet tax ban. And it is perhaps the work that I am most proud of. I think it is the work I have been able to do in the Senate that will probably have the most

lasting economic impact. It is important to leave behind a record that you are proud of, but it is also maybe even more important to leave behind many fond memories of that work, fond memories of colleagues with whom you were able to spend time and, of course, fond memories of the friendships you were able to form, both with members of your own party and with those on the other side of the aisle.

Perhaps what I am most proud of overall is that the pieces of legislation I was able to sponsor and pass, whether it was the Internet tax ban, civil liberties protection that we added under the PATRIOT Act, the Wilderness Act that protects 25,000 acres of the White Mountain National Forest, were all bipartisan pieces of legislation. That means a lot to me.

I think it will serve me well in any future endeavors I undertake in public service. I thank Senator McConnell, the Republican leader

Mr. McConnell. Madam President, let me just say to my friend from New Hampshire, it has been a real privilege to serve with somebody of your intellect and ability. I know you are going to be a huge success. You have, as we discussed, a lot of your life left. I know you are going to be a huge success in the coming years, and I am looking forward to seeing more of you in the future.

The PRESIDING OFFICER. The Senator from Maryland.

## UNANIMOUS-CONSENT REQUEST—S. 3684

Ms. MIKULSKI. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of a bill I have at the desk which is the text of title VII of S. 3689 regarding the auto sales tax deduction, and further that the bill be read a third time and passed, and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. SUNUNU. I object.

The PRESIDING OFFICER. Objection is heard.

Ms. MIKULSKI. It is my understanding I still have the floor?

The PRESIDING OFFICER. The Senator has the floor.

Ms. MIKULSKI. Boy, am I sorry that is the last act of John Sununu in the Senate. I hope it is not the last thing. I feel so badly about people objecting to me bringing this up. Mine is a bipartisan bill that I thought maybe I would win, maybe I would lose, but at least we could bring it up and debate it and discuss it and vote on it.

My bill was a straight-forward bill. My bill was to help save jobs in the automobile industry, from manufacturing, sales to service, to the little people who are the bookkeepers in our communities.

My bill would give a tax deduction to someone who would buy a car in these 6 weeks and they would be able to take a deduction of interest and sales tax. The total cost of my bill was \$8 billion. But the cost of not doing my bill is going to be horrific. It is going to be absolutely horrific. I cannot get over how these economic conservatives have their ostrich heads in the quicksand of our economy.

You know what is going to happen when our automobile industry goes down. Well, let them go. Well, I will tell you, we are going to lose \$156 billion over the next 3 years in lost taxes, unemployment, and health care assistance.

We are facing the possibility that 3 million people could lose their jobs. But oh, no, we object. We object to debate. We object to discussion. We object to taking our ideas and putting them into the sunshine and being able to do what I thought you do in a democracy, vote ideas up or down.

If I lose my bill in a vote, that is the way democracy works. But to move it through a parliamentary maneuver of something called, "I object," I object to the objection. I have no idea why anyone would object to bringing up an idea that has bipartisan support to see if we could stimulate demand in the automobile industry.

Well, I tell you what. Senator BARB MIKULSKI is not the only one who objects. The American people object. And that is what they did when they walked into that voting booth on November 4 and voted for change. They said: Yes, we can. They were objecting to what goes on in this institution and what has been going on in the White House for the last 8 years.

They said: I object. And they voted. They objected and then they voted. And they object by their vote. There is a reason a political tsunami hit this institution. It is because of this continual way of throwing sand in the gears of democracy. So they said: I object. That is what the people said.

So we can go through these parliamentary shenanigans. We can delay what we could do in the next 48 hours to get our economy going. But, oh, no.

We are going to do it. The question is, are we going to do it today or are we going to do it 8 weeks from today? The longer we wait, the deeper and more prolonged the recession will be. Right now we could begin to not only turn the page but begin to turn the economy around.

So those are the rules of the Senate. I signed up for the Senate, so I take the rules as they are. But I will tell you, I stand with the American people. I object. And I object to the objection. I am going to keep fighting this until we leave. It is my view we shouldn't leave until we pass legislation to get this economy going. If we cannot do it this week, come back next week because the real turkeys will not be in our oven. The real turkeys will be close at hand

I yield the floor.

UNANIMOUS-CONSENT REQUEST— S. 3656

Mr. SCHUMER. Madam President, I inform the Republican leader, I had arranged to do a unanimous-consent request when the Senator from Iowa could be on the floor.

I ask unanimous consent the Finance Committee be discharged from further consideration of S. 3656, the Senate proceed to its immediate consideration, the bill be read a third time and passed, and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. GRASSLEY. Madam President, I reserve the right to object.

The PRESIDING OFFICER. The Senator is recognized.

Mr. GRASSLEY. Madam President, throughout the years, the Committee on Finance has worked to safeguard and improve the programs under its jurisdiction, including the Medicare and Medicaid Programs. The Finance Committee has a unique expertise on these programs and is the only committee in a position to assess the possible effects of individual changes on all Social Security programs as a whole. Accordingly, it is essential that any legislative proposals impacting these programs be considered by the full Senate only after the Finance Committee conducts a thorough analysis of the issues involved and the potential solutions.

I would like to bring up one example of how this bill needs scrutiny. There is a provision buried in here that would allow California to escape its responsibilities to ensure that illegal aliens are not getting Medicaid benefits to which they are not entitled. Do the American people support giving Medicaid to illegal aliens? I don't think so. Simply bypassing the committee process with legislation on complex issues runs contrary to how this body should function. In fact, as my friend from New York is aware, Congress already had extensive debate and enacted a Medicare bill already earlier this year. That bill was authored by the chairman of the Finance Committee. So the Senate and the full Congress have already had extensive Medicare debate this year. The Senator from New York, as a member of the Finance Committee, had ample opportunity to raise the issues earlier this year that he now raises in a bill he wants to bring up right now. So regardless of the merits of the Senator's proposal, I believe that ship has set sail.

I have a more extensive statement on the provisions themselves. Some of them, I want the Senator from New York to understand, I actually support, and I oppose some, obviously. Perhaps we can work together on some of these issues where we agree, if the Senator is interested. Today, however, I am forced to object to the Senator's consent request.

Notwithstanding the significant jurisdictional and process issues I just