

(A) has the same meaning as in subsection (a) of the first section of the Clayton Act (15 U.S.C. 12(a)), except that such term includes section 5 of the Federal Trade Commission Act (15 U.S.C. 45), to the extent that such section 5 applies to unfair methods of competition; and

(B) includes any provision of State law that is similar to the laws referred to in subparagraph (A).

**SEC. 20. TREATMENT OF RESTRUCTURING FOR PURPOSES OF APPLYING LIMITATIONS ON NET OPERATING LOSS CARRYFORWARDS AND CERTAIN BUILT-IN LOSSES.**

Section 382 of the Internal Revenue Code of 1986 shall not apply in the case of an ownership change resulting from this Act or pursuant to a restructuring plan approved under this Act.

**SEC. 21. EMERGENCY DESIGNATION.**

Amounts provided by this Act are designated as an emergency requirement and necessary to meet emergency needs pursuant to section 204(a) of S. Con. Res. 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS**

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Thursday, December 11, 2008, at 10 a.m. to conduct a hearing entitled "World at Risk: A Report from the Commission on the Prevention of Weapons of Mass Destruction Proliferation and Terrorism."

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

**UNITED STATES CAPITOL COMPLEX TOURS**

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Con. Res. 107, which was submitted earlier today.

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

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 107) expressing the sense of Congress regarding the rights of Members of Congress (or any employee of a Member of Congress authorized by that Member) to lead tours of the United States Capitol complex.

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

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

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

The concurrent resolution (S. Con. Res. 107) was agreed to, as follows:

**S. CON. RES. 107**

*Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—*

(1) Members of Congress (or any employee of a Member of Congress authorized by that Member) should not be prohibited, with or without prior notice to the Architect of the Capitol, the Chief Executive Officer for Visitor Services, or the Capitol Guide Service, from taking guests or visitors into the publicly accessible areas of the United States Capitol complex during normal business hours;

(2) nothing in this resolution shall be construed to affect the authority granted to employees of Members of Congress by the respective Members relating to the movement of such employees through the United States Capitol complex;

(3) at the direction of the Capitol Police Board or the fire marshal, the taking of guests or visitors into the publicly accessible areas of the United States Capitol complex by a Member of Congress (or any employee of a Member of Congress authorized by that Member) should be temporarily suspended or otherwise subject to restriction for safety or security reasons to the same extent as guided tours of the United States Capitol complex which are led by the Architect of the Capitol or the Capitol Guide Service; and

(4) nothing in this resolution shall be interpreted to contradict the Congressional staff-led tour policy that ensures that tours of the Capitol are conducted by staff members who have undergone mandatory life safety and historical accuracy training.

**CENTENNIAL OF UNION STATION, DISTRICT OF COLUMBIA**

Mr. DURBIN. Madam President, I ask unanimous consent that the Environment and Public Works Committee be discharged from further consideration and the Senate now proceed to the consideration of S. Res. 664.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 664) celebrating the centennial of Union Station in Washington, District of Columbia.

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

Mr. DURBIN. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 664) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

**S. RES. 664**

Whereas, on February 28, 1903, President Theodore Roosevelt signed into law the act entitled "An Act to provide a union railroad station in the District of Columbia, and for other purposes", and Daniel Burnham, a noted architect from Chicago, Illinois, was chosen to design the building;

Whereas, on October 27, 1907, Union Station officially opened at 6:50 a.m. when the Baltimore and Ohio Pittsburgh Express pulled in to the station;

Whereas the building was ultimately completed in 1908;

Whereas, in 1924, 5,000 cheering fans met the victorious Washington Nationals at Union Station after they defeated the Boston

Red Sox to capture the American League pennant;

Whereas, in 1951, President Harry Truman dedicated the Presidential Suite at Union Station as a "home away from home" for members of the Armed Services;

Whereas, in 1968, in preparation for the bicentennial of the United States, the decision was made to transform the building into a National Visitor Center;

Whereas Congress then passed the Union Station Redevelopment Act of 1981 (Public Law 97-125; 95 Stat. 1667) to return Union Station to its original use as a transportation center;

Whereas, in 1983, the Union Station Redevelopment Corporation was created to oversee the development of the station into an operating railroad station, to restore the architectural and historical elements of the structure, to explore collaboration with the private sector in the commercial development of the station, and to withdraw the Federal Government from active management of the station;

Whereas the renovation and restoration of Union Station began on August 13, 1986, with the ringing of an old train bell;

Whereas the restoration of Union Station was the largest public-private restoration project accomplished in the United States;

Whereas the restoration took 2 years and the grand reopening was held on September 29, 1988;

Whereas, in 2008, Union Station includes more than 210,000 square feet of retail space, including 50,000 square feet of restaurant space;

Whereas Union Station is the corporate headquarters for Amtrak and contains 200,000 square feet of Amtrak passenger and baggage facilities;

Whereas 32,000,000 people visit Union Station annually; and

Whereas Union Station is the most visited tourist destination in Washington, District of Columbia: Now, therefore, be it

*Resolved, That the Senate—*

(1) celebrates the centennial of Union Station in Washington, District of Columbia;

(2) applauds the efforts of the people who worked to preserve this national treasure; and

(3) encourages the people of the United States to continue to visit and learn about Union Station and its storied history.

**NATIONAL TEEN DATING VIOLENCE AWARENESS AND PREVENTION WEEK**

**NATIONAL MENTORING MONTH**

Mr. DURBIN. Madam President, I ask unanimous consent that the Judiciary Committee be discharged and the Senate now proceed en bloc to the consideration of S. Res. 710 and S. Res. 728.

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

Mr. DURBIN. Madam President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be laid upon the table en bloc.

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

The resolutions (S. Res. 710 and S. Res. 728) were agreed to.

The preambles were agreed to.

The resolutions, with their preambles, read as follows:

S. RES. 710

Whereas 1 in 11 adolescents reports being a victim of physical dating violence;

Whereas dating violence occurs more frequently among black students (13.9 percent) than among Hispanic (9.3 percent) or white (7 percent) students;

Whereas 1 in 5 teenagers in a serious relationship reports having been hit, slapped, or pushed by a partner;

Whereas more than 1 in 4 teenagers have been in a relationship where a partner is verbally abusive;

Whereas 30 percent of teenagers in a dating relationship have been text messaged 10, 20, or 30 times per hour by a partner attempting to find out where they are, what they are doing, or who they are with;

Whereas 40 percent of the youngest "tweens", those between the ages of 11 and 12, report that their friends are victims of verbal abuse in dating relationships;

Whereas nearly 3 in 4 tweens say that dating relationships usually begin at age 14 or younger;

Whereas 29 percent of girls who have been in a relationship said that they have been pressured to have sex or to engage in sexual activities that they did not want;

Whereas 69 percent of all teenagers who had sex by age 14 said they have experienced 1 or more types of abuse in a dating relationship;

Whereas 1 in 5 teenagers (20 percent) between the ages of 13 and 14 say their friends are victims of dating violence;

Whereas in 2003, in a national survey of over 14,000 high school students conducted by the Centers for Disease Control and Prevention, just over 8 percent of boys and girls reported physical dating violence victimization and were more likely to engage in risky behaviors including sexual intercourse, attempted suicide, episodic heavy drinking, and physical fighting;

Whereas Native American women experience higher rates of interpersonal violence than any other population group;

Whereas violent relationships in adolescence can have serious ramifications for victims, putting them at higher risk for substance abuse, eating disorders, risky sexual behavior, suicide, and adult revictimization;

Whereas the severity of violence among intimate partners has been shown to be greater in cases where the pattern of violence has been established in adolescence;

Whereas more than 3 times as many tweens (20 percent) as parents of tweens (6 percent) admit that parents know little or nothing about the tweens' dating relationships;

Whereas a majority of parents surveyed either believe dating violence is not an issue or admit they do not know if it is an issue; and

Whereas the establishment of National Teen Dating Violence Awareness and Prevention Week will benefit schools, communities, and families regardless of socio-economic status, race, or sex: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week of February 2 through February 6, 2009, as "National Teen Dating Violence Awareness and Prevention Week"; and

(2) calls upon the people of the United States, high schools, law enforcement, State and local officials, and interested groups to observe National Teen Dating Violence Awareness and Prevention Week with appropriate programs and activities that promote awareness and prevention of the crime of teen dating violence in their communities.

S. RES. 728

Whereas mentoring is a longstanding tradition in which a dependable, caring adult provides guidance, support, and encouragement to facilitate a young person's social, emotional, and cognitive development;

Whereas continued research on mentoring shows that formal, high-quality mentoring focused on developing the competence and character of the mentee promotes positive outcomes, such as improved academic achievement, self-esteem, social skills, and career development;

Whereas further research on mentoring provides strong evidence that mentoring successfully reduces substance use and abuse, academic failure, and delinquency;

Whereas mentoring, in addition to preparing young people for school, work, and life, is extremely rewarding for those serving as mentors;

Whereas more than 4,200 mentoring programs in communities of all sizes across the United States focus on building strong, effective relationships between mentors and mentees;

Whereas approximately 3,000,000 young people in the United States are in solid mentoring relationships due to the remarkable vigor, creativity, and resourcefulness of the thousands of mentoring programs in communities throughout the Nation;

Whereas, in spite of the progress made to increase mentoring, the Nation has a serious "mentoring gap", with nearly 15,000,000 young people in need of mentors;

Whereas mentoring partnerships between the public and private sectors bring State and local leaders together to support mentoring programs by preventing duplication of efforts, offering training in industry best practices, and making the most of limited resources to benefit young people in the United States;

Whereas the designation of January 2009 as National Mentoring Month will help call attention to the critical role mentors play in helping young people realize their potential;

Whereas a month-long celebration of mentoring will encourage more individuals and organizations, including schools, businesses, nonprofit organizations, faith institutions, and foundations, to become engaged in mentoring across the United States; and

Whereas National Mentoring Month will, most significantly, build awareness of mentoring and encourage more people to become mentors and help close the mentoring gap in the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the month of January 2009 as "National Mentoring Month";

(2) recognizes with gratitude the contributions of the millions of caring adults and students who are already volunteering as mentors and encourages more adults and students to volunteer as mentors; and

(3) encourages the people of the United States to observe National Mentoring Month with appropriate ceremonies and activities that promote awareness of, and volunteer involvement with, youth mentoring.

#### APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to Public Law 96-114, as amended, appoints the following individual to the Congressional Award Board: Major General Robert Newman of Virginia.

ORDERS FOR FRIDAY, DECEMBER 12, 2008, THROUGH FRIDAY, JANUARY 2, 2009

Mr. DURBIN. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand in recess for pro forma sessions with no business conducted on the following days and times: Friday, December 12 at 10 a.m.; Tuesday, December 16 at 11 a.m.; Friday, December 19 at 10 a.m.; Tuesday, December 23 at 11 a.m.; Friday, December 26 at 11 a.m.; Tuesday, December 30 at 10:30 a.m.; and Friday, January 2 at 10 a.m.; that at the close of the pro forma session on January 2, the Senate stand adjourned sine die under the provisions of H. Con. Res. 440.

Further, I ask unanimous consent that the record remain open for statements until 12 noon tomorrow.

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

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

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

#### AUTHORITY TO MAKE APPOINTMENTS

Mr. DURBIN. Madam President, I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

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

#### RECESS UNTIL 10 A.M. TOMORROW

Mr. DURBIN. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand in recess under the previous order.

There being no objection, the Senate, at 11:50 p.m., recessed until Friday, December 12, 2008, at 10 a.m.

#### NOMINATIONS

Executive nomination received by the Senate:

##### DEPARTMENT OF JUSTICE

MATTHEW W. FRIEDRICH, OF TEXAS, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE ALICE S. FISHER, RESIGNED.