

RECOVERY REBATES AND ECONOMIC STIMULUS FOR THE AMERICAN PEOPLE ACT OF 2008

The PRESIDING OFFICER. The Senate will proceed to H.R. 5140, which the clerk will report by title.

The legislative clerk read as follows:

A bill (H.R. 5140) to provide economic stimulus through recovery rebates to individuals, incentives for business investment, and an increase in conforming and FHA loan limits.

The PRESIDING OFFICER. The majority leader is recognized.

AMENDMENT NO. 3983

(Purpose: To provide a perfecting amendment)

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3983.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on amendment No. 3983 to H.R. 5140, the economic stimulus bill.

Herb Kohl, Max Baucus, Mark L. Pryor, Byron L. Dorgan, Robert Menendez, Jon Tester, Christopher J. Dodd, Barbara A. Mikulski, Joseph I. Lieberman, Frank R. Lautenberg, Daniel K. Akaka, Sheldon Whitehouse, Benjamin L. Cardin, Robert P. Casey, Jr., Richard Durbin, Claire McCaskill, Harry Reid.

AMENDMENT NO. 3984 TO AMENDMENT NO. 3983

Mr. REID. Mr. President, I now call up a perfecting amendment to the amendment, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3984 to amendment No. 3983.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end of the amendment, add the following:

This section shall take effect 4 days after enactment.

MOTION TO COMMIT

Mr. REID. Mr. President, I now move to commit the bill to the Finance Committee with instructions to report back immediately with an amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to commit H.R. 5140 to the Committee on Finance with instructions to report back forthwith with an amendment numbered 3985.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

AMENDMENT NO. 3985

At the end insert the following:

This section shall become effective 3 days after enactment of the bill.

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3986

Mr. REID. Mr. President, I have an amendment at the desk, and I ask that it be reported at this time.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3986 to the instructions of the Reid motion to commit.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On line 2,
Strike 3 and insert 2.

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3987 TO AMENDMENT NO. 3986

Mr. REID. Mr. President, I now call up a second-degree amendment, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3987 to amendment No. 3986.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On line 1,
Strike 2 and insert 1.

Mr. REID. Mr. President, I now ask unanimous consent that the manda-

tory quorum required under rule XXII be waived.

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

Mr. REID. Mr. President, I ask unanimous consent that the Senate resume consideration of H.R. 5140 at 4:30 p.m. tomorrow, Wednesday, February 6; that a vote on the motion to invoke cloture on the Reid first-degree amendment occur at 5:45 p.m., with the time from 4:30 p.m. to 5:45 p.m. be for debate with respect to the cloture motion, with the time equally divided and controlled between the two leaders and their designees, with the final 30 minutes prior to the vote divided 15 minutes each for the Republican leader and the majority leader, with the majority leader controlling the final 15 minutes; and that Members have until 4 p.m. to file any germane second-degree amendments.

The PRESIDING OFFICER. Is there objection?

Mr. REID. If the Senator would withhold.

The PRESIDING OFFICER. The majority leader.

Mr. REID. OK.

The PRESIDING OFFICER. Is there objection?

Mr. McCONNELL. Mr. President, reserving the right to object, I ask unanimous consent that the consent be modified so that if cloture is not invoked on the Finance amendment, that amendment be withdrawn and the Senate proceed to a vote on the McConnell-Stevens amendment regarding seniors, veterans, and illegal immigrants, and that following the disposition of these amendments, the bill, as amended, if amended, be read a third time and the Senate proceed to a vote on passage.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, I respectfully object to the request.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the majority leader's request?

Without objection, it is so ordered.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to a period for the transaction of morning business, with Senators allowed to speak therein for a period of up to 10 minutes each.

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

RETIREMENT OF MARTIN "MARTY" PAONE

Mr. BYRD. Mr. President, secretary for the majority, Mr. Martin Paone, is leaving the U.S. Senate. I am personally saddened by Marty's decision because I have known and worked with Marty for nearly 30 years. I take great pride in the fact that, as Senate majority leader, I hired young Marty to work in the Senate Democratic Cloakroom in 1979. Three years later, I promoted him to the floor staff of the Senate Democratic Policy Committee.

In both positions, Marty performed his work for the Senate with incredible dedication and professionalism. In fact, in a floor statement I made on October 11, 1988, I acknowledged the "disciplined, orderly thinking" which Marty had brought to his work in the Senate, and complimented him on his "calm demeanor under pressure."

I was most pleased, but not surprised, when Senate Majority Leader Mitchell selected Marty Paone to be assistant secretary for the majority, and Senate Majority Leaders Daschle and REID chose him to be secretary for the majority. This last position, of course, is one of the most important positions in the Senate. The secretary for the majority is regarded as the Senate's "chief legislative officer" because the office digests and processes all legislative proposals which come before the Senate. Marty thoroughly mastered his difficult and demanding responsibilities. He has carefully studied the Senate's rules and precedents. He understands how this great institution really works.

The dedication and diligence which Marty brought to every position in which he has served the Senate have only been enhanced by his friendly, helpful demeanor. Marty Paone was always on the job and at the top of his game.

Mr. President, it will be hard to say goodbye, but I wish Marty and his lovely wife Ruby, also a Senate staffer, all the happiness in the world.

RECOGNIZING CAROL MITCHELL

Mr. BYRD. Mr. President, I rise to recognize one of my former longtime staff members, Carol Mitchell, who for 15 years helped me improve health care delivery and services throughout West Virginia and the Nation. Carol has continued her contributions to public health by working in the private sector for the past 12 years.

Carol has decided to retire to enjoy more time with her husband David and son Rob. I salute Carol for her 30 years of service to the Congress and for her loyal and conscientious staff work in my office.

Over the years, Carol has worked directly with educators, health care providers and community and business leaders in West Virginia and throughout the country to develop and implement programs which benefit our citi-

zens. She was instrumental in the creation of many of the Federal health and educational programs we know today and possesses a unique understanding of these programs and how institutions can successfully utilize them.

Carol's Capitol Hill service, includes 6 years on the Senate Appropriations Committee staff and 15 years as a senior staff aide to my West Virginia office. As a professional staff member of the Appropriations Subcommittee on Labor, Health and Human Services, Education and Related Agencies, she was a trusted adviser to subcommittee chairman TOM HARKIN. She regularly briefed subcommittee members on Federal programs totaling in the billions of dollars.

Prior to joining the Appropriations Committee as a professional staffer, Carol worked for Senator Robert P. Griffin of Michigan and Congressman William T. Cahill of New Jersey.

Carol was an exemplary public servant who has made a significant, positive difference in the lives of many people she may never meet. I thank Carol for her fine service to her country, and wish her well in whatever endeavors she undertakes in her retirement years.

THE MATTHEW SHEPARD ACT OF 2007

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would strengthen and add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

In the early morning of February 2, 2008, a gay couple, Thomas Colonna and Brad Crelia, were walking in the Capitol Hill area of Seattle, when they were nearly struck by a vehicle. The car then screeched to a halt, and several men exited, yelling anti-gay slurs. The couple attempted to run away, but Crelia, who had a broken foot, was unable to move quickly. The attackers descended upon the two men, still hurling epithets as they began to hit them. One assailant snatched the cane Crelia had been using to support his weight and began to beat him around the head and face with it. Crelia and Colonna both suffered cuts, bruises and broken bones as a result of the attack. Police have not yet made any arrests, but witnesses have provided descriptions and a license plate for the attackers.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. Federal laws intended to protect individuals from heinous and violent crimes motivated by hate are woefully inadequate. This legislation would better equip the Government to

fulfill its most important obligation by protecting new groups of people as well as better protecting citizens already covered under deficient laws. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

HONORING OUR ARMED FORCES

CORPORAL DUNCAN C. CROOKSTON

Mr. SALAZAR. Mr. President, I rise today to honor the memory of CPL Duncan Crookston, who died recently at Brook Army Medical Center in Texas from wounds he sustained when a roadside blast tore through his humvee on September 4, 2007. The attack killed three other soldiers in his vehicle. When he died on January 25, Duncan was 1 day shy of his 20th birthday.

Corporal Crookston's friends and family gathered at Fort Logan National Cemetery in Denver on Saturday to share their memories of a young man of extraordinary energy and talent who chose to devote himself to the service of his country. His fellow soldiers say he chose the Army knowing the dangers and accepting the possibility of losing his life. He did his job and "he met his calling," one soldier said.

Duncan joined the Army shortly after graduating from Denver West High School. With his standardized test scores, any university in the country would have been lucky to have him, but he was committed to doing right by his Nation and by those with whom he served. In the Army, it became immediately clear that he had a mind for engineering and electronics, so he became the radio-tech operator in his unit. He could fix almost anything, and in the toughest conditions.

For almost 5 months after the Baghdad blast, Corporal Crookston hung on. His wife Meaghan and his mother Lee stayed by his side at Brook Army Medical Center, helping him in his fight for recovery. His wounds, though, were simply too grave. He had burns over 50 percent of his body, lost both of his legs, his right arm, and his left hand.

There was no limit, it seems, to Corporal Crookston's courage. On a mission, he always wanted to be out front. In the hospital, he fought the odds to the end.

Corporal Crookston's courage is all the more admirable for the fact that he applied it in service to his country, fulfilling his duty with honor. "You will never do anything in this world without courage," the Greek philosopher Aristotle once wrote. "It is the greatest quality of the mind next to honor."

It is hard to imagine a more powerful example of courage than that which Duncan Crookston and his family demonstrated over the last few months of his life. There are no words that can capture the pain or grief they must have endured as they battled for his life.

To his wife Meaghan, to his father Christopher, to his mother Lee, and to