

the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 265).

(2) A statement of the average cost per minute of telephone service for military personnel serving in combat zones under each contract of the Department of Defense for morale, welfare, and recreation telephone services for such personnel that is in effect as of the date of the enactment of this Act, and a statement of the average amount of such cost that is returned to the contractor under such contract as a return on investment or profit.

**SA 5337.** Mr. REID (for Mr. BIDEN (for himself, Mr. CASEY, Mr. INHOFE, and Mr. CARPER)) submitted an amendment intended to be proposed by Mr. REID to the bill S. 3001, to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 311, between lines 13 and 14, insert the following:

**SEC. 1083. TRANSFER OF NAVY AIRCRAFT N40VT.**

(a) **AUTHORITY TO CONVEY.**—The Secretary of the Navy may convey, without consideration, to Piasecki Aircraft Corporation of Essington, Pennsylvania (in this section referred to as “transferee”), all right, title, and interest of the United States, except as set forth elsewhere herein, in and to Navy aircraft N40VT (Bureau Number 163283) and associated components and test equipment, previously specified as Government furnished equipment, specified in contract N00019-00-C-0284. The conveyance shall be made by means of a deed of gift.

(b) **CONDITION OF AIRCRAFT.**—The aircraft shall be conveyed under subsection (a) in its current, “as is” condition. The Secretary is not required to repair or alter the condition of the aircraft before conveying ownership of the aircraft.

(c) **CONVEYANCE AT NO COST TO THE UNITED STATES.**—The conveyance of the aircraft under subsection (a) shall be made at no cost to the United States. Any costs associated with the conveyance shall be borne by the transferee.

(d) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with a conveyance under this section as the Secretary considers appropriate to protect the interests of the United States.

(e) **CLARIFICATION OF LIABILITY.**—Notwithstanding any other provision of law, upon the conveyance of the Navy aircraft N40VT (Bureau Number 163283) under subsection (a), the United States shall not be liable for any death, injury, loss, or damage that results from the use of that aircraft by any person other than the United States.

**SA 5338.** Mr. REID (for Mr. BIDEN (for himself, Mr. KENNEDY, Mrs. MCCASKILL, and Mr. BAYH)) submitted an amendment intended to be proposed by Mr. REID to the bill S. 3001, to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy; to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title V, add the following:

**SEC. 587. EXCLUSION OF CERTAIN REST AND RECOVERY LEAVE FROM LIMITATIONS ON LEAVE ACCUMULATED BY MEMBERS OF THE ARMED FORCES.**

Section 705 of title 10, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

“(c) Any period of rest and recuperation absence received by a member under subsection (b)(2) shall not be treated as leave accumulated by the member for purposes of section 701 of this title.”.

## NOTICE OF HEARINGS

### PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. LEVIN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs will hold a hearing entitled, “Dividend Tax Abuse: How Offshore Entities Dodge Taxes On U.S. Stock Dividends.” The Subcommittee hearing will examine how some financial institutions have designed, marketed, and implemented transactions to enable foreign taxpayers, including offshore hedge funds, to dodge millions of dollars of taxes on U.S. stock dividends. The hearing will also examine whether current law relating to dividend taxation and withholding should be strengthened. The Subcommittee expects to issue a Subcommittee staff report in conjunction with the hearing summarizing its investigative findings and recommendations. Witnesses will include representatives of U.S. financial institutions, offshore hedge funds, a tax expert, and the Internal Revenue Service.

The Subcommittee hearing is scheduled for Thursday, September 11, 2008, at 9 a.m., in Room 106 of the Dirksen Senate Office Building. For further information, please contact Elise Bean of the Permanent Subcommittee on Investigations at 202-224-9505.

### COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. KERRY. Mr. President, I would like to inform Members that the Committee on Small Business and Entrepreneurship will hold a hearing entitled “Business Start-up Hurdles in Underserved Communities: Access to Venture Capital and Entrepreneurship Training,” on Thursday, September 11, 2008 at 10 a.m., in room 428A of the Russell Senate Office Building.

### COMMITTEE ON INDIAN AFFAIRS

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, Thursday, September 11, at 9:30 a.m. in room 628 of the Dirksen Senate Office Building to conduct a hearing on (1) S. 3128, the White Mountain Apache Tribe Rural Water System Loan Authorization Act; (2) S. 3355, the Crow Tribe Water Rights Settlement Act of 2008; and (3) S. 3381, a bill to authorize

the Secretary of the Interior, acting through the Commissioner of Reclamation, to develop water infrastructure in the Rio Grande Basin, and to approve the settlement of the water rights claims of the Pueblos of Nambe, Pojoaque, San Ildefonso, Tesuque, and Taos.

Those wishing additional information may contact the Indian Affairs Committee at, 202-224-2251.

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, the Senate Committee on Energy and Natural Resources will hold a business meeting on Thursday, September 11, 2008 at 12 noon, in room SD-366 of the Dirksen Senate Office Building.

The purpose of the Business Meeting is to consider pending legislation.

For further information, please contact Sam Fowler at (202) 224-7571 or Amanda Kelly at (202) 224-6836.

### SUBCOMMITTEE ON ENERGY

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Energy Subcommittee of the Committee on Energy and Natural Resources. The hearing will be held on Tuesday, September 16, 2008, at 2:30, in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on recent analyses of the role of speculative investment in energy markets.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to Gina weinstock@energy.senate.gov.

For further information, please contact Angela Becker-Dippmann at (202) 224-5269 or Gina Weinstock at (202) 224-5684.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON ARMED SERVICES

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, September 9, 2008, at 9:30 a.m.

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

### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on September 9, 2008, at 10 a.m., to conduct a hearing entitled “Strengthening the Ability of Public Transportation To Reduce Our Dependence on Foreign Oil.”

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

#### COMMITTEE ON FINANCE

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Tuesday, September 9, 2008, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Improving Health Care Quality: An Integral Step Toward Health Reform".

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

#### 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 Tuesday, September 9, 2008, at 3:15 p.m.

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

#### COMMITTEE ON THE JUDICIARY

Mr. LEVIN. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet during the session of the Senate to conduct a hearing entitled "Nominations" on Tuesday, September 9, 2008, at 10 a.m., in room SD-562 of the Dirksen Senate Office Building.

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

#### COMMITTEE ON THE JUDICIARY

Mr. LEVIN. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet during the session of the Senate, to conduct a hearing entitled "Protecting the Right to Vote: Oversight of the Department of Justice's Preparation for the 2008 General Election" on Tuesday, September 9, 2008, at 2:15 p.m., in room SD-562 of the Dirksen Senate Office Building.

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

#### SUBCOMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

Mr. LEVIN. Mr. President, I ask unanimous consent that the Subcommittee on Transportation and Infrastructure, Committee on Environment and Public Works, be authorized to meet during the session of the Senate on Tuesday, September 9, 2008 at 10 a.m. in room 406 of the Dirksen Senate Office Building to hold a hearing entitled, "Economic Development Administration Oversight."

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

#### PRIVILEGES OF THE FLOOR

Mr. LEVIN. Mr. President, I ask unanimous consent that MAJ Anthony Williams, Mr. Yariv Pierce, and Mr. Ramy Yaacoub be granted the privilege of the floor for the remainder of the week on behalf of Senator BILL NELSON.

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

SPOTTSWOOD W. ROBINSON III AND ROBERT R. MERHIGE, JR., FEDERAL COURTHOUSE

Mr. REID. Mr. President, I ask unanimous consent that the Chair lay before the Senate the House message to accompany S. 2403.

The PRESIDING OFFICER (Mr. MENENDEZ) laid before the Senate the amendments of the House of Representatives to the bill (S. 2403) entitled "An Act to designate the new Federal Courthouse, located in the 700 block of East Broad Street, Richmond, VA, as the 'Spottswood W. Robinson III and Robert R. Merhige, Jr., Federal Courthouse'." do pass with the following amendments:

#### S. 2403

*Resolved*, That the bill from the Senate (S. 2403) entitled "An Act to designate the new Federal Courthouse, located in the 700 block of East Broad Street, Richmond, Virginia, as the 'Spottswood W. Robinson III and Robert R. Merhige, Jr. Federal Courthouse'." do pass with the following amendments:

Strike out all after the enacting clause and insert:

#### SECTION 1. DESIGNATION.

*The United States courthouse located in the 700 block of East Broad Street, Richmond, Virginia, shall be known and designated as the "Spottswood W. Robinson III and Robert R. Merhige, Jr., United States Courthouse".*

#### SEC. 2. REFERENCES.

*Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the "Spottswood W. Robinson III and Robert R. Merhige, Jr., United States Courthouse".*

Amend the title so as to read: "An Act to designate the United States courthouse located in the 700 block of East Broad Street, Richmond, Virginia, as the 'Spottswood W. Robinson III and Robert R. Merhige, Jr., United States Courthouse'."

Mr. REID. Mr. President, it is my understanding there is no objection to this, and it has been cleared by the Republicans. I ask unanimous consent that the Senate concur in the House amendments, that the motion to reconsider be laid upon the table, and any statements relating to this matter be printed in the RECORD.

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

Mr. WARNER. Mr. President, I rise today to speak on S. 2403, a bill to name the new U.S. courthouse in Richmond, VA, after two distinguished jurists and sons of Virginia.

Senator WEBB and I introduced this bill last year, and the bill passed the Senate on June 24, 2008. The House of Representatives passed the bill last night, with a minor technical change, by a vote of 376 to 0. Tonight, I would like to thank the Senate for accepting this minor modification and once again passing this bill.

Our bill recognizes two of Virginia's outstanding jurists: Spottswood Robinson III and Robert Merhige, Jr. They were lawyers who throughout their careers adhered to the principle of "equal justice under law."

The first, Spottswood William Robinson III, was born in Richmond, VA, on

July 26, 1916. He attended Virginia Union University and then the Howard University School of Law, graduating first in his class in 1939 and serving as a member of the faculty until 1947.

Judge Robinson was one of the core attorneys of the NAACP Legal Defense and Educational Fund from 1948 to 1960, achieving national prominence in the legal community with his representation of the Virginia plaintiffs in the 1954 U.S. Supreme Court case *Brown v. Board of Education*. *Brown* outlawed public school segregation declaring "separate but equal" schools unconstitutional.

In 1964, Judge Robinson became the first African American to be appointed to the U.S. District Court for the District of Columbia, and in 1966, President Johnson appointed Judge Robinson the first African American to the U.S. Court of Appeals for the District of Columbia Circuit. Finally, on May 7, 1981, Judge Robinson became the first African American to serve as Chief Judge of the District of Columbia Circuit.

Our second jurist, Judge Robert R. Merhige, Jr., was born in 1919 and later attended High Point College in North Carolina. He subsequently earned his law degree from the T.C. Williams School of Law at the University of Richmond, from which he graduated at the top of his class in 1942.

From 1942 to 1945, Judge Merhige served in the U.S. Air Force. He practiced law in Richmond from 1945 to 1967, establishing himself as a formidable trial lawyer representing criminal defendants as well as dozens of insurance companies.

On August 30, 1967, Judge Merhige was appointed U.S. District Court judge for the Eastern District of Virginia, Richmond Division, by President Lyndon B. Johnson, serving as a Federal judge until 1998. In 1972, Judge Merhige ordered the desegregation of dozens of Virginia school districts. He considered himself to be a "strict constructionist" who went by the law as spelled out in precedents by the higher courts. In 1970, he ordered the University of Virginia to admit women. As evidence of Judge Merhige's groundbreaking decisions, he was given 24-hour protection by Federal marshals due to repeated threats of violence against him and his family. His courage in the face of significant opposition of the times is a testimony to his dedication to the rule of law.

As my colleagues may be aware, I have worked to name the new courthouse in Richmond for these two men for several years. I am proud that the Virginia Congressional Delegation, the Virginia Bar Association, the mayor of Richmond, and many others decided that the best way to honor both men was to have them equally share the honor of having the courthouse so named.

With the ribbon cutting for this grand facility tentatively set for October 17 of this year, I am pleased by the passage of this legislation in honor of