

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 the Interior 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 the Interior 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.

MEASURES READ THE FIRST TIME—S. 1, S. 2, S. 3, S. 4, S. 5, S. 6, S. 7, S. 8, S. 9, S. 10, S. 33, and S. 34

Mr. WHITEHOUSE. Mr. President, I understand there are 12 bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. Without objection, the clerk will report the bills by title.

The legislative clerk read as follows:

A bill (S. 1) to create jobs, restore economic growth, and strengthen America's middle class through measures that modernize the nation's infrastructure, enhance America's energy independence, expand educational opportunities, preserve and improve affordable health care, provide tax relief, and protect those in greatest need, and for other purposes.

A bill (S. 2) to improve the lives of middle class families and provide them with greater opportunity to achieve the American dream.

A bill (S. 3) to protect homeowners and consumers by reducing foreclosures, ensuring the availability of credit for homeowners, businesses, and consumers, and reforming the financial regulatory system, and for other purposes.

A bill (S. 4) to guarantee affordable, quality health coverage for all Americans, and for other purposes.

A bill (S. 5) to improve the economy and security of the United States by reducing the dependence of the United States on foreign and unsustainable energy sources and the risks of global warming, and for other purposes.

A bill (S. 6) to restore and enhance the national security of the United States.

A bill (S. 7) to expand educational opportunities for all Americans by increasing access

to high-quality early childhood education and after school programs, advancing reform in elementary and secondary education, strengthening mathematics and science instruction, and ensuring that higher education is more affordable, and for other purposes.

A bill (S. 8) to return the Government to the people by reviewing controversial "midnight regulations" issued in the waning days of the Bush Administration.

A bill (S. 9) to strengthen the United States economy, provide for more effective border and employment enforcement, and for other purposes.

A bill (S. 10) to restore fiscal discipline and begin to address the long-term fiscal challenges facing the United States, and for other purposes.

A bill (S. 33) to amend the Internal Revenue Code of 1986 with respect to the proper tax treatment of certain indebtedness discharged in 2009 or 2010, and for other purposes.

A bill (S. 34) to prevent the Federal Communications Commission from repromulgating the fairness doctrine.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that further reading of the bills be dispensed with.

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

Mr. WHITEHOUSE. Mr. President, I now ask for a second reading en bloc, and I object to my own request en bloc.

The PRESIDING OFFICER. Objection is heard.

The bills will be read the second time on the next legislative day.

CLAIBORNE DE BORDA PELL

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 8, submitted earlier today by Senator REID.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 8) relative to the death of the Honorable Claiborne de Borda Pell, former United States Senator for the State of Rhode Island.

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

Mr. FEINGOLD. Mr. President, I join my colleagues, the people of Rhode Island, and people across the Nation in mourning the passing of Senator Claiborne Pell. It was my honor to serve with him here in the Senate. My first term in the Senate coincided with his last years of distinguished service in this body. In particular, I enjoyed the opportunity to serve on the Foreign Relations Committee during his time as chairman. He was known on the committee, and throughout the Senate on both sides of the aisle, for his unfailingly kind manner and his outstanding commitment to public service, and rightly so.

Senator Pell had many accomplishments during his life in public service, including his authorship of legislation that created the National Endowment for the Arts and the National Endowment for Humanities, but his work to

create what came to be known as Pell grants was perhaps his greatest achievement. Pell grants have helped millions of Americans attend college who otherwise may not have been able to attend due to cost. Higher education is one of the most important investments our Federal Government can make, and Senator Pell, who was deeply concerned about the emergence of a widening educational gap between low-income and more affluent Americans, worked to try to ensure that individuals from low-income families are not denied postsecondary education because they cannot afford it. As this new Congress begins, it is my hope that we can carry forward Senator Pell's legacy and boost Federal need-based grant programs to help ensure the doors of higher education are open to all Americans regardless of their financial circumstances.

Senator Pell's success in creating these grants, and giving so many Americans access to higher education, and to a better life, is a remarkable legacy. I am proud that I had the chance to serve with Senator Pell, and I join Americans across the country in honoring his memory.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 8) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 8

Whereas Claiborne Pell represented the people of Rhode Island with distinction for 36 years in the United States Senate, from 1961 to 1997, and was the longest-serving Senator in Rhode Island's history;

Whereas Claiborne Pell served in the United States Coast Guard and the Coast Guard Reserve, beginning in 1941 and retiring in 1978 with the rank of Captain;

Whereas Claiborne Pell participated in the 1945 United Nations Conference on International Organization that established the United Nations, and was a champion of the United Nations throughout his life;

Whereas Claiborne Pell served as a Foreign Service Officer from 1945 to 1952;

Whereas Claiborne Pell sponsored the legislation that, in 1965, created the National Endowment for the Arts and the National Endowment for the Humanities and, in 1966, created the National Sea Grant College and Program;

Whereas Claiborne Pell's vision led to the creation of an improved passenger rail system in the Northeast and across the United States;

Whereas Claiborne Pell believed that economic means should not be a barrier to a higher education and sponsored legislation creating the Basic Educational Opportunity Grants in 1972, which were renamed "Pell Grants" in 1980;

Whereas Pell Grants have helped 54,000,000 people in the United States secure a higher education;

Whereas Claiborne Pell sought to expand educational opportunities throughout his tenure as a member and as Chairman of the Senate Subcommittee on Education, Arts and Humanities;

Whereas Claiborne Pell served as Chairman of the Senate Committee on Foreign Relations in the 100th through 103rd Congresses;

Whereas Claiborne Pell was a champion of human rights who devoted himself to promoting a peaceful resolution to international conflict and the elimination of the threat of nuclear weapons; and

Whereas the hallmarks of Claiborne Pell's public service were unsurpassed respect, decency, and civility: Now, therefore, be it

Resolved, That—

(1) the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Claiborne Pell, former member of the United States Senate;

(2) the Secretary of the Senate communicate these resolutions to the House of Rep-

resentatives and transmit an enrolled copy thereof to the family of the deceased; and

(3) that when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable Claiborne Pell.

ORDERS FOR WEDNESDAY,
JANUARY 7, 2009

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 11:30 a.m., Wednesday, January 7; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and there then be a period for the transaction of morning business, with Senators per-

mitted to speak for up to 10 minutes each, and that the Senate recess from 12:30 p.m. until 2:15 p.m. to accommodate the weekly Democratic caucus lunch.

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

ADJOURNMENT UNTIL 11:30 A.M.
TOMORROW

Mr. WHITEHOUSE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order in honor of the late Senator Claiborne de Borda Pell of Rhode Island under S. Res. 8.

There being no objection, the Senate, at 7:45 p.m., adjourned until Wednesday, January 7, 2009, at 11:30 a.m.