

as job losses and economic stress translate into increased violence in the home and in our communities. The shortage of affordable housing and rising unemployment are causing victims to require longer stays in emergency shelters. The increasing unemployment rate also means victims are less likely to have insurance to cover their crime-related expenses. In addition to significant State and county budget cuts, corporate and individual donations are decreasing. Across the board, victim service providers are strapped for funding.

As the Senate considers extraordinary legislation to address the current economic crisis, I believe it is imperative for the record to reflect the intent behind the provisions included in this legislation. To ensure that there is no doubt about what we intended, I ask my friend from Maryland whether it is her understanding that the funding included for State victims' compensation and assistance programs would be in addition to any funding states receive from their annual Victims of Crime Act, VOCA, Grants in the 2009 and 2010 appropriations bills?

Ms. MIKULSKI. I would say to the chairman of the Judiciary Committee, that is what we intend.

Mr. LEAHY. I thank the Senator. It is not the Senate's intent to deduct the funding for victims compensation included in the economic recovery package from the grant money they would receive from regular VOCA formula grants. Through this bill, we intend to provide extra funding for compensation programs, to pay more costs for victims' recovery.

Ms. MIKULSKI. That is correct as well. The funding I included in the CJS portion of economic recovery package for crime victim compensation programs will be in addition to their annual VOCA grants, and will not be deducted from their annual VOCA grants.

Mr. LEAHY. I thank the chairwoman of the CJS Appropriations Subcommittee, Senator MIKULSKI, for engaging in this colloquy. And I thank her for working with me to include victim services in the economic recovery legislation, which will help ensure that those already victimized by crime are not also victims of our economic crisis.

Mr. FEINGOLD. Mr. President, I commend this body for including provisions in the American Recovery and Reinvestment Act of 2009 to energize the fledgling green economy. While I am concerned by the enormous cost of this bill and lack of offsets, I recognize the need for urgent action as we strive to keep and create jobs for those who are suffering because of our failing economy.

Earlier this year, I introduced the Community Revitalization Energy Conservation Act, S. 222, as part of my E4 Initiative aimed at fueling job creation and spurring economic development. I am very pleased that so much of what I proposed in this bill has been included in the economic recovery

package. The economic recovery legislation passed by the Senate includes an increase for the bond limit for the Qualified Energy Conservation Bond program from \$800 million to \$3.2 billion, more than a 300 percent increase. While I proposed increasing the program to \$3.6 billion, I thank the chairman of the Finance Committee for including such a significant increase.

The second component of my Community Revitalization Energy Conservation Act would boost job growth and help businesses and homeowners go green by expanding the types of projects that are eligible for the Qualified Energy Conservation Bond program, which was established by Congress last fall. I am pleased the Senate adopted my amendment making this change as part of the economic recovery package.

Business and labor leaders and others in Wisconsin have told me about the tremendous potential for energy efficiency retrofits to generate more green-collar jobs. And already, Wisconsin communities are beginning to pursue these improvements. My amendment will allow Wisconsin to launch programs—modeled after Milwaukee's proposed Me2 program—throughout the State by utilizing the tax credit bonds allocated to Wisconsin under the Qualified Energy Conservation Bond program.

My amendment specifically ensures that States and local governments can increase the number of building retrofits by eliminating significant financial barriers facing homeowners and businesses interested in making energy efficiency and conservation improvements. It does this by allowing energy efficiency projects to be performed as part of a "green community program" using grants, loans, or other repayment mechanisms, such as periodic fees included on a utility bill or municipal bill. By using utilities as intermediaries, States and localities can ensure homeowners and businesses do not incur upfront costs and can gradually pay back the costs of the energy efficiency retrofits through their electricity or water bills at a rate that reflects energy savings. For example, if a monthly energy bill before energy efficiency improvements is \$150 and with improvements the energy costs are down to \$110, then at most a homeowner or business would pay \$40 monthly towards paying off the costs of the energy efficiency building retrofits.

Presently, buildings account for 40 percent of total U.S. energy consumption and 70 percent of U.S. electricity consumption so there are significant gains to be made with energy efficiency. Projects that could qualify for the funding include heat-saving measures like insulation, electricity-saving measures like lighting and appliances, water-saving measures like low-flow shower heads and toilets, renewable energy generating devices like photovoltaic solar installations, storm water

management like rain barrels, or other measures that also result in reduced energy use.

My amendment will allow Qualified Energy Conservation Bonds to support these partnerships among cities, utilities, homeowners, and businesses to make energy efficiency improvements within more people's reach and put Americans to work.

I thank Senator DEBBIE STABENOW for cosponsoring this amendment, and I appreciate the endorsements from the Air Conditioning Contractors of America, American Council for an Energy Efficient Economy, Apollo Alliance, National Electrical Contractors Association, National SAVE Energy Coalition, and the Plumbing-Heating-Cooling Contractors-National Association.

I am pleased my provision was included, offering another opportunity to help jumpstart the green economy and bring relief to our citizens as we reinvest in America. I intend to work with conferees to ensure the provision is retained and look forward to its enactment as part of economic recovery legislation.

I am also pleased that funding was included for several other energy programs that I sought funding for including the Energy Efficiency and Conservation Block Grant Program and the Weatherization Assistance Program, both of which can quickly generate jobs and generate lasting energy savings.

#### VOTE EXPLANATION

Mr. VOINOVICH. Mr. President, I rise today to speak in regards to a recent rollcall vote held in the Senate. On February 5, 2009, the Senate voted 32 to 65 on Senate amendment No. 140, which was offered by the junior Senator from Wisconsin. Due to an inadvertent error, I recorded my support for this amendment. I would like to take a few moments to clarify my views regarding this amendment.

As my colleagues know, this amendment would have allowed a point of order to be raised against congressionally directed spending for programs whose authorization has lapsed. This amendment would have hamstrung the Senate in the exercise of its constitutionally delegated "power of the purse." Procedures already exist for Senators to strike provisions of bills they find objectionable, including language in appropriation bills. For example, Members may offer amendments to strike or amend such provisions as they deem appropriate. In addition, as my friend, the senior Senator from Hawaii, has pointed out, this amendment would have exempted funding requests for unauthorized programs included in the President's budget request from this so-called "earmark point of order." In effect, this would have allowed unelected bureaucrats the ability to request funding for programs whose authorization has lapsed while denying elected and accountable members of the Senate from doing likewise.

Finally, important programs like the ones that could be affected by this point of order should not be penalized by Congress's inability to enact authorization bills in a timely fashion.

Together, the distinguished chairman and ranking member of the Senate Committee on Appropriations are taking steps to provide for unprecedented levels of transparency in the appropriations process. As a new member of the Senate Committee on Appropriations, I look forward to working with my colleagues to address the pressing issues that will come before the committee, and I appreciate the opportunity to clarify my views on this issue.

## COMMITTEE ON FOREIGN RELATIONS RULES OF PROCEDURE

Mr. KERRY. Mr. President, pursuant to the requirements of paragraph 2 of Senate rule XXVI, I ask to have printed in the RECORD the rules of the Committee on Foreign Relations for the 111th Congress adopted by the committee on February 5, 2009.

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

### RULES OF THE COMMITTEE ON FOREIGN RELATIONS

(Adopted February 5, 2009)

#### RULE 1—JURISDICTION

(a) *Substantive*.—In accordance with Senate Rule XXV.1(j), the jurisdiction of the committee shall extend to all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Acquisition of land and buildings for embassies and legations in foreign countries.
2. Boundaries of the United States.
3. Diplomatic service.
4. Foreign economic, military, technical, and humanitarian assistance.
5. Foreign loans.
6. International activities of the American National Red Cross and the International Committee of the Red Cross.
7. International aspects of nuclear energy, including nuclear transfer policy.
8. International conferences and congresses.
9. International law as it relates to foreign policy.
10. International Monetary Fund and other international organizations established primarily for international monetary purposes (except that, at the request of the Committee on Banking, Housing, and Urban Affairs, any proposed legislation relating to such subjects reported by the Committee on Foreign Relations shall be referred to the Committee on Banking, Housing, and Urban Affairs).
11. Intervention abroad and declarations of war.
12. Measures to foster commercial intercourse with foreign nations and to safeguard American business interests abroad.
13. National security and international aspects of trusteeships of the United States.
14. Ocean and international environmental and scientific affairs as they relate to foreign policy.
15. Protection of United States citizens abroad and expatriation.
16. Relations of the United States with foreign nations generally.
17. Treaties and executive agreements, except reciprocal trade agreements.

18. United Nations and its affiliated organizations.

19. World Bank group, the regional development banks, and other international organizations established primarily for development assistance purposes.

The committee is also mandated by Senate Rule XXV.1(j) to study and review, on a comprehensive basis, matters relating to the national security policy, foreign policy, and international economic policy as it relates to foreign policy of the United States, and matters relating to food, hunger, and nutrition in foreign countries, and report thereon from time to time.

(b) *Oversight*.—The committee also has a responsibility under Senate Rule XXVI.8, which provides that “. . . each standing committee . . . shall review and study, on a continuing basis, the application, administration, and execution of those laws or parts of laws, the subject matter of which is within the jurisdiction of the committee.”

(c) *“Advice and Consent” Clauses*.—The committee has a special responsibility to assist the Senate in its constitutional function of providing “advice and consent” to all treaties entered into by the United States and all nominations to the principal executive branch positions in the field of foreign policy and diplomacy.

#### RULE 2—SUBCOMMITTEES

(a) *Creation*.—Unless otherwise authorized by law or Senate resolution, subcommittees shall be created by majority vote of the committee and shall deal with such legislation and oversight of programs and policies as the committee directs. Legislative measures or other matters may be referred to a subcommittee for consideration in the discretion of the chairman or by vote of a majority of the committee. If the principal subject matter of a measure or matter to be referred falls within the jurisdiction of more than one subcommittee, the chairman or the committee may refer the matter to two or more subcommittees for joint consideration.

(b) *Assignments*.—Assignments of members to subcommittees shall be made in an equitable fashion. No member of the committee may receive assignment to a second subcommittee until, in order of seniority, all members of the committee have chosen assignments to one subcommittee, and no member shall receive assignments to a third subcommittee until, in order of seniority, all members have chosen assignments to two subcommittees.

No member of the committee may serve on more than four subcommittees at any one time.

The chairman and ranking member of the committee shall be *ex officio* members, without vote, of each subcommittee.

(c) *Meetings*.—Except when funds have been specifically made available by the Senate for a subcommittee purpose, no subcommittee of the Committee on Foreign Relations shall hold hearings involving expenses without prior approval of the chairman of the full committee or by decision of the full committee. Meetings of subcommittees shall be scheduled after consultation with the chairman of the committee with a view toward avoiding conflicts with meetings of other subcommittees insofar as possible. Meetings of subcommittees shall not be scheduled to conflict with meetings of the full committee.

The proceedings of each subcommittee shall be governed by the rules of the full committee, subject to such authorizations or limitations as the committee may from time to time prescribe.

#### RULE 3—MEETINGS

(a) *Regular Meeting Day*.—The regular meeting day of the Committee on Foreign Relations for the transaction of committee

business shall be on Tuesday of each week, unless otherwise directed by the chairman.

(b) *Additional Meetings*.—Additional meetings and hearings of the committee may be called by the chairman as he may deem necessary. If at least three members of the committee desire that a special meeting of the committee be called by the chairman, those members may file in the offices of the committee their written request to the chairman for that special meeting. Immediately upon filing of the request, the chief clerk of the committee shall notify the chairman of the filing of the request. If, within three calendar days after the filing of the request, the chairman does not call the requested special meeting, to be held within seven calendar days after the filing of the request, a majority of the members of the committee may file in the offices of the committee their written notice that a special meeting of the committee will be held, specifying the date and hour of that special meeting. The committee shall meet on that date and hour. Immediately upon the filing of the notice, the clerk shall notify all members of the committee that such special meeting will be held and inform them of its date and hour.

(c) *Hearings, Selection of Witnesses*.—To ensure that the issue which is the subject of the hearing is presented as fully and fairly as possible, whenever a hearing is conducted by the committee or a subcommittee upon any measure or matter, the ranking member of the committee or subcommittee may call an equal number of non-governmental witnesses selected by the ranking member to testify at that hearing.

(d) *Public Announcement*.—The committee, or any subcommittee thereof, shall make public announcement of the date, place, time, and subject matter of any meeting or hearing to be conducted on any measure or matter at least one week in advance of such meetings or hearings, unless the chairman of the committee, or subcommittee, in consultation with the ranking member, determines that there is good cause to begin such meeting or hearing at an earlier date.

(e) *Procedure*.—Insofar as possible, proceedings of the committee will be conducted without resort to the formalities of parliamentary procedure and with due regard for the views of all members. Issues of procedure which may arise from time to time shall be resolved by decision of the chairman, in consultation with the ranking member. The chairman, in consultation with the ranking member, may also propose special procedures to govern the consideration of particular matters by the committee.

(f) *Closed Sessions*.—Each meeting of the Committee on Foreign Relations, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the committee or a subcommittee on the same subject for a period of no more than 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in paragraphs (1) through (6) would require the meeting to be closed followed immediately by a record vote in open session by a majority of the members of the committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(2) will relate solely to matters of committee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct; to disgrace or injure the professional standing of an individual, or otherwise to expose an individual