

people ought to be constantly awake, since history and experience prove, that foreign influence is one of the most baneful foes of republican government. But that jealously to be useful must be impartial; else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious, while its tools and dupes usurp the applause and confidence of the people to surrender their interests.

The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests, which to us have none or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence therefore it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest guided by justice shall counsel.

Why forgo the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world—so far, I mean, as we are now at liberty to do it, for let me not be understood as capable of patronizing infidelity to existing engagements. (I hold the maxim no less applicable to public than private affairs, that honesty is always the best policy)—I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves, by suitable establishments, on a

respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand: neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce but forcing nothing; establishing with powers so disposed, in order to give trade a stable course—in order to give to trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another—that is must pay with a portion of its independence for whatever it may accept under that character—that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish—that they will control the usual current of the passions or prevent our nation from running the course which has hitherto marked the destiny of nations. But if I may even flatter myself that they may be productive of some partial benefit, some occasional good, that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism—this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have, at least, believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April 1793 is the index to my plan. Sanctioned by your approving voice and by that of your representatives in both houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest to take—a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance and firmness.

The considerations which respect the right to hold this conduct it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions and to progress, without interruption to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence and that, after forty-five years of my life dedicated to its service with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it which is so natural to a man who views in it the native soil of himself and his progenitors for several generations, I anticipate with pleasing expectation that retreat, in which I promise myself to realize without alloy the sweet enjoyment of partaking in the midst of my fellow citizens the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

DISTRICT OF COLUMBIA HOUSE
VOTING RIGHTS ACT OF 2009—
MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 160, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 23, S. 160, a bill to provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

UNIVERSAL HEALTH CARE

Mr. WHITEHOUSE. Mr. President, for the past several years, it has been my great privilege to travel around my home State of Rhode Island and hear directly from the people I was elected to serve—to listen to what is on their minds, their good news and their worries and the challenges and opportunities they and their families face every day.

I regularly hold community dinners in Rhode Island. We serve pasta and meatballs or hamburgers and hotdogs. We invite people from the community and we talk about the issues that matter to them. Sometimes I ask people to come together to talk about a particular issue, which is what we did Sunday, 2 weeks ago, at the Tri-City Elks Lodge in Warwick. I invited Rhode Islanders to join me to talk about our broken health care system and what we might do to fix it.

More than 200 people came, from at least 14 different cities and towns. The parking lot was jammed; the room was packed; Seniors and students, patients and providers, business-owners and veterans. They know what is wrong with our system—they experience it first hand every day. They came to share their frustration, their anger; to tell what's happened to them in a system that too often leaves them nowhere to turn.

That evening, I launched a new feature on my web site to help people share their stories about health care. At whitehouse.senate.gov/storyboard, there is a forum where Rhode Islanders can read about others' experiences with this broken system, and tell me about their own. We gave people who came to the dinner the chance to write their stories, right then and there. And one after another, the stories came.

Mr. President, if anyone believes we can afford to wait to fix the health care system, that this is not an urgent, crisis-level problem for the people of this country, I urge them to listen to what these Rhode Islanders had to say.

Sandra from Smithfield wrote:

As of this month I will no longer be treating my Rheumatoid Arthritis. The treatment costs almost \$6,000 every six weeks. The kicker is that I have help from the drug company to pay for the drug portion, but that is only half the cost of administering the infusions. I do not have \$3,000 this month. I am begging for universal health care. I am 52 years old. I worry every day when the crippling effects of rheumatoid arthritis will put me in a wheelchair because I

cannot afford to treat my disease. Please fight for universal health care. Please help.

David from Warwick, stood up at the dinner and explained that he began receiving Social Security and Medicare 3 years ago:

Each year since, the amount I get has gone down because the Social Security cost of living raise has not kept up with the rising cost of my medical coverage. This year I had to cut my coverage. My co-pays are now more than I can afford.

Brande is a young woman from Johnston, Rhode Island who has struggled with juvenile diabetes since age 11. She wrote:

Although I have done everything humanly possible to control my diabetes, [I] still am not able to achieve tight blood sugar control. My diabetes doctor believes the best hope for my health is continuous blood glucose monitoring sensors that would accommodate my insulin pump. Through many requests, and many letters to Blue Cross, I have still been denied these life saving sensors that I desperately need.

Many, many Rhode Islanders at this dinner shared stories of their frustration with the Medicare Part D prescription drug benefit. Frances in Cranston wrote:

Humana changed its premium from \$25 to \$39.95 per month and at the same time the copayment to fill a prescription went from \$25 to \$40. When I complained that I would leave for another Medicare Part D provider, they said I would have to wait until next November.

Everett from Warwick and his wife saw their Part D premiums go up by 40 percent without notice, and they had to pay a 3-month penalty when they finally decided to switch plans:

Now, my new provider, First Health, wants to charge my wife another \$3.50 per month. I am appealing but why should the provider get the extra money? It is already costing her more to have this plan.

Robert, also from Warwick, was flatly frustrated with the whole Part D process. He said:

We have to simplify the Medicare Part D plans. There are too many choices and too many plans, and too many cards. They should just all be the same.

The health care stories went on. From Carolyn in Warwick:

All my doctors are dropping out of my insurance plans. My primary care doctor is going to MDVIP—\$1500 a year up front. I can't afford to see him anymore.

From Amanda in Providence:

My father is a Medicare recipient. My family and I live with constant worry that he will lose certain benefits. It is frustrating and painful that in his last few years with us we have to spend so much time worrying about his healthcare access.

From Joyce in Warwick:

I take two medications. The insurance will pay for one medication for 30 days. I am supposed to take two a day!

From Maggie in Johnston:

I'm self-employed and am unable to afford health insurance. My business partner finally had to drop hers. It was costing her \$1,000 a month.

From Annette in Cranston:

I was buying my health insurance for my daughter and myself from Blue Cross direct

. . . I can no longer afford it, so I had to let it go.

Ronald in Wakefield:

I am middle class, so no one speaks for me. Please don't forget those of us who have coverage and pay for it out of our own pocket.

Carol in West Kingston:

I am faced with the option of providing health insurance for myself or food on the table for my family . . . I decided to opt out of COBRA. I am taking a risk being a cancer survivor but what else can I do?

Jean in West Warwick:

I really don't know at is going to happen. Roberta in Coventry:

Between my son's medications and mine, it is just out of reach for me. So in order to keep my son healthy, I go without. Last year, I fell ill and could not afford to go to the doctor. I have been a nurse for almost 40 years, and I have worked myself to the bone healing sick people. My health is failing, and I am afraid I will not see my grandchildren grow up. Please help us.

And on and on it went. Every time someone at the community dinner took the microphone to speak about the complexity and unfairness of Medicare Part D, heads around the room nodded. Every time someone stood and called for universal health coverage, this Rhode Island crowd applauded. Every time we heard a story from someone battling their insurance company for the care they needed, there were groans around the room of recognition and exasperation. There was not a single person there—even in this economy—who thought health care reform should not be one of Congress's top priorities.

I am looking forward to attending President Obama's State of the Union Address tomorrow evening with one of the Rhode Islanders who attended this dinner in Warwick. Lauren Goddard is a medical student with Crohn's disease who is facing a lifetime of expensive health care costs. I appreciate her attendance and her willingness to share her story of how difficult the health insurance system can be for an individual who has chronic health care needs.

These Rhode Islanders, Lauren, and everyone else who came to our dinner in Warwick need us to listen. They need us to hear their stories, and they need us to get it and to do something about it.

Two weeks ago, Congress took an enormous step toward addressing the overwhelming economic challenges our country faces. We passed the economic recovery legislation that President Obama signed last week. This means extra money in people's pockets, new jobs, and patched holes in the social safety nets on which we count. That will surely help. But it is not enough.

For those 200 Rhode Islanders who joined me in Warwick, burdensome health care costs are the forgotten story. Families are forced to choose between prescription drugs and food, clothes, or transportation. Small businesses cannot afford to hire new employees or provide health coverage. Entrepreneurs cannot take that plunge

because they cannot just walk away from their health insurance. And looking beyond those local family perils and sorrows, we see the \$35 trillion unfunded liability for Medicare that is bearing down on us.

Unless we begin to undertake serious and meaningful reforms right away, this recession will seem like only a small hurdle compared to that moment when \$35 trillion in Medicare costs come due. That wave of cost, that tsunami of cost is coming at us, and we have to prepare. Knowing what we know, sharing the responsibilities we do as Senators, this is our duty. Failure is dereliction.

Every one of us shares the goal of making sure health insurance coverage reaches all Americans. But as I have said in this Chamber before, it is not enough just to bring everyone into the boat. The boat itself is sinking. It is not enough just bringing everybody into the boat, not with what we know is coming.

What is needed is reform of our health care delivery system, an information technology infrastructure so that every American can count on their own secure electronic health record, improvement in the quality of health care so we maximize the effectiveness and efficiency of care delivered, and to reform how we pay for health care so the health care we are paying for is the health care we want. Nothing less will save this boat.

All of this is doable, but we need to start now. We took a good step in President Obama's economic recovery legislation with a nearly \$20 billion investment in health information infrastructure. But there is much more to be done, and because it is a bit complex and will take some doing, we cannot dawdle, we cannot delay, we cannot shirk that duty.

To enact health care reforms that will lower costs by improving the quality of care for all Americans, we have to start now. To improve the way we deliver health care to give us a modern, efficient, interactive, trusted health care system, we have to start now. To improve the way we deliver health care by spending wisely for disease prevention and better health outcomes, we have to start now. If we are to sustain health care coverage for the 46 million Americans—9 million of them children who have no health insurance at all—we have to achieve these reforms and we have to start now.

That is what the Rhode Islanders I met on Sunday are asking for. That is what all Americans deserve. For God's sake, let us not fail them.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from New Mexico is recognized.

Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HONORING OUR ARMED FORCES

Army Specialist Darrell Fernandez

Mr. UDALL of New Mexico. Mr. President, as I rise today, flags across New Mexico are at half staff. Our State is recognizing a New Mexican who gave his life in service to our country. Army SPC Darrell Fernandez, age 25, died on Saturday, January 31, in Kirkuk, Iraq, when the car he was riding in flipped over.

At times like this, the words of elected officials seem inadequate. Death brings suffering. It is no less heart-breaking when the deceased, as in this case, was a brave young soldier. Words will not ease the pain of Specialist Fernandez' wife, Katrina Fair, or of his mother and stepfather, Susie and Bill Smith. Nor can words add to the glory that Specialist Fernandez has earned through his actions.

But a death like this demands something of the living.

In the best tradition of service and sacrifice, Specialist Fernandez died for us. We owe it to him to acknowledge that, to be grateful, and to remember. His death was not an accident. He died in one of the disasters that war makes commonplace. He died because he chose to serve his country. And he did serve.

A Senators or as citizens, we cannot fully experience the sadness of this day of mourning, the sadness experienced by Darrell's family and friends. But when a soldier dies, the Nation as a whole feels the loss. We are linked to Specialist Fernandez by the ties that bind a grateful Nation to its faithful servant. His loss is ours.

As your colleague and your friend, I ask you to participate in my State's day of remembrance. As the flags fly at half staff and the people of my State grieve, join us in celebrating the heroism of Army SPC Darrell Fernandez, who gave all he had for us.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HEALTH CARE

Mr. SPECTER. Mr. President, I have participated this afternoon in the summit held by President Obama to examine the financial status of the Nation. When the President spoke, as did the

Vice President and other economists, the emphasis was on the large deficit which our Nation faces. The President spoke about his plans to cut the deficit in half by the year he finishes his first term. There were then breakout sessions. I participated in a session which dealt with the subject of health care.

There was a consensus among those present at the session that the cost of health care imposed the greatest problem for the deficit as we look to the future years. My suggestions related to savings which I think are possible on our health care system beginning with the cost of Medicare.

A study shows that some 27 percent of health care costs are incurred in the last few hours, few days, few weeks of a person's life. No one should tell anyone else what to do with respect to terminal health care costs, but I do believe it is fair to ask people to think about that and to make a decision in a living will.

Another suggestion on health care costs would involve prosecutions on white-collar crimes which involve health care, where there is a real opportunity for deterrence. My experience as a district attorney showed me that you cannot deal with deterrence when you are talking about domestic violence, but if you are talking about white-collar crime, you can.

While on the Judiciary Committee, I have raised the issue on a number of occasions about the need to carry forward white-collar prosecutions looking toward jail sentences instead of fines. There was recently a case involving Siemens which was not a medical issue but a case involving a \$1.7 billion fine which seems large, except when measured against an \$87 billion income stream.

The point is that fines are a license to do business and to violate the public trust, but jail sentences could serve as a deterrent.

Beyond those suggestions on savings, the increase in the National Institutes of Health, which has been raised from about \$12 billion to almost \$30 billion in the decade between the mid-1990s and the first half of the decade of this century, showed tremendous savings which have been registered on stroke, on cancer, from the reduction in the death rate. The additional \$10 billion added recently is a further effort along the promotion of those savings.

Beyond the issue of research and savings through the National Institutes of Health, there is the benefit of savings from lifestyle. Recently with a bout of Hodgkin's, I have even modified further the exercise pattern I have had for decades as a squash player, eliminated sugar from the diet, looking for antioxidants. This is an issue where there could be a modest investment by the Federal Government which could pay great dividends.

The final suggestion I had was on trying to use the Wyden-Bennett plan which has 14 cosponsors, equally divided between Democrats and Republicans, to utilize Wyden-Bennett as a

starting point for a serious discussion in the Senate to cover the 47 million-plus Americans who are now not covered, modeled after the Massachusetts plan put in by former Governor Romney, with the Federal assistance for those at the lower end of the economic brackets.

TRIBUTE TO FORMER SENATOR JOE BIDEN

Mr. President, Senator BIDEN was one of the participants at the economic summit. Seeing and talking to him brought to mind recollections of his outstanding career in public life.

When there were comments on the Senate floor last month about Senator BIDEN in recognition of his 36 years in the Senate, I was engaged in the proceedings on the confirmation of Attorney General Holder and did not have an opportunity to participate. I thought it appropriate, having just come from conversations with Senator BIDEN, to comment on his extraordinary career. I first knew of Senator BIDEN when he ran for the Senate back in 1972. I was very much impressed with many facets of Senator BIDEN's resume, but one caught my attention; that is, that he was 29 years old in 1972 when he ran for the Senate, and I knew that the Constitution placed the minimum age at 30.

Senator BIDEN was elected, but he turned 30 between election day and inauguration day. That started a phenomenal Senate career. My first direct contact with Senator BIDEN came in a curious way. Shortly after coming to the Senate on a Friday, I had made plans to catch the 6 o'clock train, thinking that the Senate would be adjourned by that time. But the final vote did not begin until 8 minutes to 6. I called up my executive secretary Sylvia Nolde and said: Will you change my ticket to the 7 o'clock train. She responded, having been secretary to Senator Javits for many years, that she could hold the train for 5 minutes. I did not know that was a possible problem under Federal law, but the statute has run so I can speak freely about it at this point.

I went to the train station, got on the 6 o'clock train a little late, and a few minutes later, a huffing and puffing Senator JOE BIDEN walked into the car and approached me and said: I ran the three blocks from the Senate to Union Station. Running through the lobby, I hurdled a few baby carriages.

I do not think he knocked down anybody, but they were at risk. He jumped over the barrier and was running down the track to the train when a conductor stopped him, threw up his hand and said: Slow down, bud, there is a Senator coming.

Senator BIDEN then said to me: You have been in the Senate about 8 days, I have been here 8 years. How did you figure out how to catch the train in this manner?

Senator BIDEN and I, on the Judiciary Committee, have worked on a great many sensitive issues together. I co-sponsored his landmark legislation pro-

tecting women against violence. We worked together on the Second Chance Act, which was signed into law last year, which provides for realistic rehabilitation for first offenders, juveniles, and second offenders, to try to stop the revolving door of recidivism. We have worked together on supporting special funding for the so-called COPS Program for putting more police on the street; have worked together on many civil rights issues, and many of the programs to support Amtrak.

When I was elected in 1980 and we faced our first budget resolution, there was an effort made to zero out Amtrak. Senator Howard Baker, who was then the majority leader, scheduled a meeting with David Stockman, the Director of the Office of Management and Budget. A fair number of Senators from the Northeast Corridor met him at that time, Senator D'Amato and Senator Heinz and quite a few of us who were regulars on the Amtrak line, and knew of its importance. When David Stockman advanced the argument that we could deal without the Amtrak subsidy, I pointed out that we would not be able to get through the Baltimore tunnels without Amtrak, you would not be able to land at National Airport. We kept the funding going. Largely over the years we were in a collaboration, and Senator BIDEN was a key participant.

During his work on the Judiciary Committees as chairman, he presided at landmark hearings in a very dignified and professional way. During the hearings on Judge Robert Bork for the Supreme Court back in 1987, Senator BIDEN was the chairman. One Friday afternoon we were not quite finished with the hearing. That was on September 18. I remember the day, because the day before I traveled with President Reagan to Philadelphia for the 200th anniversary of the signing of the Constitution. The Constitution was signed on September 17, 1787. The 200th anniversary had occurred the day before.

I had not had a chance to question Judge Bork on that day. Senator BIDEN approached me late in the afternoon and asked me how much more time I needed. He was not going to be there the next day and had delegated the chairmanship, or asked Senator KENNEDY to take over the chairmanship responsibilities—I should not say delegated; Senator KENNEDY himself had been chairman. When he asked me how much time I needed, I paused for a minute, and he said: Well, how about a half hour? I continued to pause, thinking about it. Taking time to think about it sometimes is viewed as a violation of Senate ethics. He said: OK, how about an hour? I still paused. He said: How about an hour and a half?

I said: OK, that should do it. Then Senator Thurmond, who was the ranking Republican, came over to me, and in Strom Thurmond's inimitable Southern accent—while it is inimitable, I will try to imitate it—he said: You want an hour and a half on Bork.

Translated, means: Do you want an hour and a half on Bork?

And I said: No, sir, I do not want an hour and a half on Bork, I want to question him until I finish.

OK, you can have your hour and a half on Bork.

Translated: OK, you can have your hour and a half on Bork. The next day, I took the hour and a half.

Senator BIDEN did another professional job in many of the hearings, but again I particularize the one on Justice Clarence Thomas. There was a question as to whether the Judiciary Committee ought to have access to the Thomas rentals from the video store, and Senator BIDEN took the position that that was not an appropriate matter for inquiry.

Then we had a second witness who came up at the very last minute, and Senator BIDEN presided over the very delicate matter of making a determination as to whether that witness ought to be called at the last minute.

I notice my distinguished colleague, Senator CASEY, has arrived for a little proceeding as to William T. Coleman, Jr. Since it is now 4 o'clock, when he was scheduled to arrive, I will terminate within the next few minutes.

Senator BIDEN had a very serious health problem with an aneurysm, very serious operations in the early 1990s. When I had a serious operation on a meningioma, a brain tumor, I returned to the Senate with a big bandage on my head for the confirmation hearing of Justice Ginsburg. Senator BIDEN was chairman and greeted me with a welcome to the entry of the cracked head club, rather a unique distinction to be called out on the so-called cracked head club.

Senator BIDEN was elected to a sixth term last November. It is quite a record to be a six-term Senator, 36 years in the Senate, at the age of 66. His tenure on that term was very short. He was sworn in on January 4 and left 16 days later to become Vice President, where he now serves with distinction. I believe his years in the Senate will add greatly to the stature and competency of the Office of Vice President. His work as chairman of the Foreign Relations Committee will stand the country in very good stead as he travels around the world, supplementing the work of Secretary of State Hillary Clinton, another former colleague, and the work of the special envoys, as well as his detailed knowledge of the inner workings of Government from his very distinguished service.

I am glad to have a few minutes on the Senate floor to extoll the virtues of a very good friend, an outstanding colleague, and a great Senator. He will be a great Vice President.

I yield the floor.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator from Pennsylvania.

Mr. CASEY. I say hello to Senator SPECTER. We have a lot of visitors from

Pennsylvania here today. We are honored by their presence. I thank Senator SPECTER for being with us today. We will be seeing him a little later.

WILLIAM T. COLEMAN

Madam President, 2009 marks the 200th anniversary of the birth of Abraham Lincoln, the 200th birthday of our 16th President, who ushered in a new era of race relations and brought an end to the legalized degradation of institutionalized slavery that people of color endured in the United States for more than 200 years. Every year the month of February is dedicated to celebrating Black History Month and serves as a time of reflection and reconciliation for the country.

I rise to honor the lifetime of achievements of a man whose life story has embodied Lincoln's vision of a nation committed to the rule of law and equal justice under the law.

William Thaddeus Coleman, Jr., built upon the legacy of Abraham Lincoln and distinguished himself and continues to distinguish himself as a pioneer in legal advocacy and the struggle for civil rights.

Bill Coleman was born in Philadelphia into a world where only strength of character, intellectual prowess, and hard work could defeat the evils caused by the Great Depression and the era of Jim Crow laws. His mother was a teacher. His father was the director of the Wissahickon Boy's Club and Camp Emlen. They led him, early on, to pursue excellence while always enriching the larger community by enhancing the lives of everyone he encountered. Bill Coleman achieved academic excellence, first, in a racially segregated elementary school before entering Germantown High School, where he was one of seven Black students. Despite the environment of bigotry, he attained excellent grades and was admitted to the University of Pennsylvania, where he graduated summa cum laude, after just 3½ years, with a B.A. degree in 1941.

To fulfill his childhood dreams of becoming a lawyer, he entered and graduated magna cum laude and first in his class from the Harvard Law School in 1946, as one of only three minority students. Bill Coleman interrupted his studies at Harvard to enlist in the U.S. Army Air Corps to serve in World War II for nearly 3 years, training as an aviator at Tuskegee Army Airfield, a statistical control officer at the Harvard Business School, and a defense counselor of soldiers during court-martial proceedings.

After the war, Coleman returned to Harvard and received the highly esteemed Joseph E. Beale Prize and became the third person of color to serve on the Board of Editors of the Harvard Law Review. In 1947, Coleman began his legal career as a law clerk to the late Judge Herbert F. Goodrich of the U.S. Court of Appeals for the Third Circuit. Soon after in 1948, he became the first person of color to clerk for the U.S. Supreme Court, under the late Justice Felix Frankfurter.

After his clerkship, Bill Coleman joined the New York law firm of Paul, Weiss, Rifkin, Wharton & Garrison as an associate. In 1950, he was approached by Thurgood Marshall, to help develop a legal strategy and prepare legal briefs in the five cases commonly referred to Brown v. Board of Education of Topeka. The ruling in this historic case brought an end to the previously accepted doctrine of separate but equal, establishing that separate educational facilities were inherently unequal, tearing down the barriers of racial segregation to pave the way for a new era of integration. In 1952, Coleman returned to Philadelphia to be the first lawyer of color at Dilworth, Paxson, Kalish, Kohn and Levy. While serving as a senior partner and head of the Litigation Department, he specialized in corporate, trademark and antitrust litigation and gained national recognition for his expertise in transportation law, nuclear energy matters, and banking issues.

In 1950, Bill Coleman was appointed to the President's Commission on Employment Policy, a.k.a. the Branch Ricky Commission, under President Dwight Eisenhower to increase minority hiring in the Federal Government. In 1964, he served as cocounsel in McLaughlin v. Florida, a case he argued before the Supreme Court, which found part of the antimiscegenation laws of Florida to be unconstitutional and paved the way for overturning other statutes prohibiting interracial marriage. Soon after in 1965, former Governor of Pennsylvania William Scranton retained Bill Coleman to remove the racial restrictions at Girard College in Philadelphia.

Mr. Coleman continued a distinguished life of public service as a member of the U.S. Delegation to the 24th Session of the United Nations General Assembly in 1969; member of the National Commission on Productivity for 1971–1972; member of the Price Commission from 1971–1973; consultant to the U.S. Arms Control and Disarmament Agency from 1963 to 1975; senior consultant and senior counsel to the President's Commission on the Assassination of President Kennedy in 1964; and a member of President Eisenhower's Committee on Government Employment Policy from 1959 through 1961 and member of the Federal Advisory Committee on the Federal Rules of Civil Procedure.

In 1975, Bill Coleman was sworn in as the fourth Secretary of Transportation under President Gerald Ford, making him the second person of color in history to hold a position in the United States Cabinet. He developed a comprehensive national transportation policy and was instrumental in creating the 53-page study "A Statement of National Transportation Policy", which he sent to Congress in 1975, outlining general principles that he felt should guide the government's decision making process. In 1977, upon his resignation when President Carter took office,

Mr. Coleman returned to the private sector to join the Washington office of O'Melveny & Myers as senior partner and senior counsel, where he continues to work today.

In 1982, Coleman was appointed *amicus curiae* by the Supreme Court to support the lower courts' holdings in Bob Jones University v. United States and Glasboro Christian Schools, Inc. v. United States which found that discriminatory private nonprofit schools were not entitled to federal tax exemptions. Bill Coleman continued his fight for civil rights as Chairman of the Board of the NAACP Legal Defense and Educational Fund, where he currently serves as the Senior Director.

In all, Bill Coleman has served as a trusted attorney and public servant of our nation for more than 50 years and has advised seven presidents of the United States. He has received numerous distinguished honors including: the Presidential Medal of Freedom in 1995 from President Bill Clinton; Officer of the National Order of the Legion of Honor from the Republic of France; the Thurgood Marshall Lifetime Achievement Award from the NAACP Legal Defense and Education Fund; The Chief Justice John Marshall Award from the American Bar Association Justice Center; the Judge Henry J. Friendly Medal from the American Law Institute; the Marshall-Wythe Medallion from the College of William & Mary, Marshall-Wythe Law School; the Thaddeus Stevens Award from the Public Interest Law Center of Philadelphia; the Lamplighter Award from the Black Leadership Forum; the "We the People" Award from the National Constitution Center; the Fordham-Stein Prize from the Fordham University School of Law; the Golden Plate Award from the Academy of Achievement; the Legends of the Bar Award from the District of Columbia Bar Association; the Spirit of Excellence Award from the American Bar Association; the David A. Clarke School of Equal Justice Award from the University of the District of Columbia Law School; the Founder Award from the Historical Society of Pennsylvania.

When we encapsulate those awards, we are reminded that in terms of honorary degrees, Bill Coleman has received honorary degrees from 21 colleges and universities throughout the Nation.

Bill Coleman is married to the former Lovida Mae Hardin of New Orleans, LA. The Colemans have three children, two of whom are practicing lawyers and one of whom is the dean of the School of Education at Boston University. Mr. and Mrs. COLEMAN have five grandchildren. It does give me great pleasure to highlight Mr. COLEMAN's life of extraordinary achievements in this 200th year since the birth of Abraham Lincoln during Black History Month.

William T. Coleman, Jr., is an American whose life of public service and advocacy, whose life of integrity and excellence, courage and commitment to

justice under the law has helped to make our great Nation a more perfect Union.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Madam President, I compliment my distinguished colleague for the remarks he made about William T. Coleman, Jr. I further compliment him for scheduling a symposium later this afternoon on the distinguished career of Mr. COLEMAN. Noting Black History Month, it is very important to recognize the great accomplishments of African Americans in society and the reference to the 200th birthday of President Lincoln is most appropriate since President Lincoln presided over the Civil War, issued the Emancipation Proclamation, and began the series of historical events leading to the 13th amendment which prohibited slavery, the 14th amendment which provided for equal protection of the law and due process of law, providing the legal framework, although it took a long time, to overcome *Plessy v. Ferguson* shortly before the turn of the 20th century and then *Brown v. Board of Education* in 1954.

We are still making major efforts to defeat racism. There are periodic calls for a discussion on racism. Beyond any question, it remains in our society. The problem is substantially ameliorated today but still there is a great deal more to be done.

I recollect on my tenure in public service running for district attorney back in 1965. I had the opportunity to meet Dr. Martin Luther King, Jr., at a reception in Philadelphia, receiving advice from him on the problem of police brutality in Philadelphia and elsewhere and the necessity to have a police advisory board, a civil advisory board, some of the issues I worked on with Robert Casey, Sr., Senator CASEY's father, at that time auditor general of Pennsylvania when I was district attorney, later Governor of the State of Pennsylvania.

Those recollections are very appropriate as we pay honor to the illustrious career of Bill Coleman.

I knew Bill Coleman when I was a beginning lawyer in Philadelphia in 1956. At that time, Bill Coleman had already been to New York City, where he went to get a job, after finishing at the top of his class at the Harvard Law School, clerking for Justice Frankfurter, as Senator CASEY has already noted, and came back to Philadelphia to be a partner in the Dilworth office—a very distinguished law firm, and he was a very distinguished addition to it.

I got to know Bill Coleman better and best when he and I were assistant counsel on the Warren Commission investigating the assassination of President Kennedy. The Warren Commission staff was divided into two groups—the seniors and juniors—and Bill Coleman was one of the senior lawyers and I one of the junior lawyers, although when the masthead was finished, we were all

assistant counsel. The one thing I never understood about Bill Coleman's assignment on the Warren Commission was how he avoided being assigned the "single bullet theory." And certainly I would have yielded that to Bill, but he managed to avoid it. He was on another area of the investigation.

I read that when Bill Coleman helped Thurgood Marshall prepare the briefs in *Brown v. the Board of Education*, he put in a full day at the New York law firm. That was probably about 14 hours, the way the New York law firms worked, and then he went to do his work helping Thurgood Marshall—later Justice Marshall—preparing that brief. His work with the Warren Commission was about the same. His law firm agreed to let him go do the work, but he took the 5 o'clock plane on Friday and went back to Philadelphia on Monday to put in his full 5 days with the Dilworth law firm.

There are a lot of fascinating stories about Bill Coleman and his work in public service. One story he tells is about President Lyndon Johnson trying to persuade him to become a circuit court of appeals judge for the Third Circuit, and I think President Johnson had the right idea, he just had the wrong court. But, at any rate, as Bill Coleman tells the story, he told President Johnson he really could not undertake that job because he had very heavy financial responsibilities with his family. And, as Bill described it, President Johnson put his right arm—maybe it was his left arm—over the credenza and pulled over some papers and started to rustle some papers and said: Yes, I know what a financial sacrifice it would be. Now, I do not think President Johnson was looking at his tax returns because that would have been questionable under Federal law. But, at any rate, that was an interesting vignette Bill told.

In the mid-1980s—I think after the 1984 election—Bill Coleman told me he had a very bright young fellow he wanted me to meet who would help us rebuild the Republican Party, something which we are still working on; we haven't been very successful at that either. I said: Well, come. We will have lunch in the Senate Dining Room. And the young man's name was Clarence Thomas. He had been with the EEOC, I think. But, at any rate, he was Bill Coleman's nominee to help rebuild the Republican Party. We outlined a long agenda, a long list of things to do, and I was glad to pay for the lunch to promote this young man's efforts on rebuilding the Republican Party. Nothing happened for a year, so I invited him back to lunch. I said this time Clarence Thomas was going to have to pay for lunch. I was only kidding about that. But Clarence Thomas moved on to other lines of endeavor.

More recently, Bill Coleman has been an activist for judicial pay increases—something that still remains to be accomplished. But that is the kind of public service he gets into.

Last month, he was an active participant for promoting the nomination of Eric Holder to be Attorney General of the United States. When Bill Coleman makes a recommendation, it is given very substantial weight.

So I am glad to join my distinguished colleague, Senator CASEY, on this event to pay tribute to Bill Coleman.

I ask unanimous consent, Madam President, to have the full text of my prepared statement printed in the CONGRESSIONAL RECORD at this point, with the introduction that it is a prepared statement so the repetition between that and some of my earlier comments will be understood if anyone should ever read the CONGRESSIONAL RECORD.

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

WILLIAM T. COLEMAN, JR.

Mr. President, today, in commemoration of Black History Month, I would like to pay tribute to my good friend from Philadelphia, William T. Coleman, Jr. Bill Coleman is an American hero, who, as a lawyer, public official and statesman, has advanced the cause of civil rights, justice and equality for all Americans under the law. He was a main architect of the legal strategy leading to the Supreme Court's decision in *Brown v. Board of Education* and the desegregation of schools and other public facilities throughout the United States.

Bill attended a racially segregated elementary school, before moving on to Germantown High School, which was all white save for a contingent of seven black students. He survived numerous slights throughout his public school career. To mention just one incident—when Bill tried joining the all-white swimming team at his high school, he was suspended from the school. Later, school officials reinstated him, but they also cut the sport until he graduated.

Bill's academic excellence enabled him to attend some of our nation's most prestigious universities. In 1941, he graduated from my alma mater, the University of Pennsylvania, summa cum laude. He went on to the Harvard School of Law. World War II prompted Bill to leave school to serve our country as a member of the U.S. Army Air Corps. During his time in the Army, he served as a defense counsel in 18 court-martial proceedings, even though he had not yet completed his law degree. Of those courts-martial, Bill won 16 acquittals, with 1 of the 2 convictions later reversed.

After the war ended, Bill reentered Harvard and had the distinction of being one of the first African Americans ever to serve on the board of editors of the Harvard Law Review. In 1946, he earned his LL.B. degree magna cum laude, graduating at the top of his class.

Bill Coleman was admitted to the Pennsylvania bar in 1947 and was law secretary to Judge Herbert Goodrich of the U.S. Court of Appeals for the Third Circuit. He went on to serve as a law clerk to U.S. Supreme Court Associate Justice Felix Frankfurter. He was the first African-American to serve as a clerk for the Nation's highest Court.

In 1949, he became an associate at the New York law firm of Paul, Weiss, Rifkind, Wharton, and Garrison. While practicing at that firm, he was approached by Thurgood Marshall, the founder and head of the NAACP Legal Defense and Educational Fund, NAACP-LDF, who asked for his legal help—on a volunteer basis—on cases that the NAACP hoped would lead to the end of segregation. For the next 3 years, Bill worked a

9-6 shift at his law firm, then went over to the NAACP-LDF until 10 or 11, and then returned to his law firm for more work. He also worked on the weekends.

In 1952, Bill accepted a job at the Philadelphia law firm of Dilworth, Paxton, Kalish, Levy and Green and became the first African-American in Philadelphia to join an all-White firm. He continued to volunteer his services to work on civil rights cases, including coauthoring the brief in *Brown v. Board of Education*, 1954, and representing a couple convicted of violating State antimiscegenation laws in *McLaughlin v. Florida*, in which the Supreme Court held that the State law was in violation of the equal protection clause of the 14th Amendment.

In 1959, President Eisenhower asked Bill to serve on the President's Commission on Employment Policy. He served on several Presidential commissions over the next two decades for Presidents Kennedy, Johnson, and Nixon. It was in 1964, when Bill was on the Warren Commission, which investigated the assassination of John F. Kennedy, that my long friendship with Bill began. Most recently, Bill's support of Eric Holder, our new Attorney General, was a significant factor in my vote in favor of confirmation.

In 1971, Bill was elected president of the NAACP-Legal Defense and Education Fund. Then, in 1975, President Ford appointed Bill Secretary of Transportation. As Secretary, Bill made it his first priority to develop a comprehensive national transportation policy.

Bill stayed in the Capital to head the Washington office of O'Melveny & Myers. He continues to practice law today and is a frequent visitor in my office. His interests and work are not limited to the law. He has enjoyed the strong support of his loving family—his wife Lovida Hardin Coleman; his three children, William Coleman III, Lovida H. Coleman, Jr., and Hardin Coleman; and his grandchildren, William IV, Alexander Amadeus, Flavia Colgan, Aaron Coleman, and Jesse Coleman.

In 1995, Bill received the highest honor given to civilians, the Presidential Medal of Freedom, for distinguished civilian service. President Clinton said, "I can honestly say, if you are looking for an example of constancy, consistency, disciplined devotion to the things that make this country a great place, you have no further to look than William Coleman, Jr."

In 1997, Bill was honored with the Thurgood Marshall Lifetime Achievement Award of the NAACP-LDF.

In 2004, Justice Antonin Scalia presented Bill with a lifetime achievement award at the We The People Award Dinner, which honors individuals who best exemplify the qualities of active citizenship envisioned by our Nation's Founding Fathers.

In 1975, in an interview with the magazine Black Enterprise, William Coleman said that his first concern was to leave Washington "with the same reputation for integrity that I had when I came here." Well, Bill, while you haven't left Washington yet and while I am sure that you will be here for a long time to come, I can say without a doubt that you have nothing to worry about.

I am proud to have Bill Coleman as a friend.

Mr. SPECTER. Madam President, I thank the Chair and yield the floor. In the absence of any other Senator seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold his request?

Mr. SPECTER. Yes.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Madam President, I rise to amplify a little bit the prepared re-

marks I made regarding Bill Coleman. I thank Senator SPECTER for the words he spoke of someone he has known a long time and for his presence here on the floor, as well as we will be seeing him at a great symposium later this afternoon when we further discuss not only Mr. Coleman's life but what it means in the larger context of the American story.

There are a number of people in the gallery here whom both of us would like to point out, although the rules do not allow that. So as I look at the Presiding Officer, I want those people in the gallery to know we know you are here. We are thrilled you are here, but the rules do not allow us to acknowledge people in the gallery and to wave and do the kinds of things we would like to do. But we will do that later.

But I do want to thank Senator SPECTER for highlighting so many features of Bill Coleman's life. I think maybe the best way to sum it up, to encapsulate what his life means for America, is to allow us today, on just 1 day, to highlight such a remarkable life, such a great American story as an inspiration not only to people like me and others but, of course, to young people, to convey the message that if you are committed to academic excellence, if you are committed to achievement, if you are committed to doing things the right way and to working hard, there is virtually nothing you cannot do. Bill Coleman, and so many people in his generation like him, had to overcome so many obstacles. I think it is a great lesson for all of us but especially for young people. So we will be remembering that today when we celebrate his life of great achievement at the symposium. I do commend and thank Senator SPECTER for being with us today.

With that, Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Madam President, on an unrelated item, I note there is on the desk S. 160, "a bill to provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives." I would like to be added as an additional cosponsor, with a very brief statement that I think it is long past due to have a voting seat for the District of Columbia with its 700,000 population. As a matter of basic democratic fairness, they ought to be represented in the U.S. House. So I ask unanimous consent that I be added as an original cosponsor.

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

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

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

Mr. KAUFMAN. Madam President, I ask unanimous consent to speak as in morning business.

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

The Senator from Delaware.

PROSECUTING WALL STREET FRAUD

Mr. KAUFMAN. Madam President, the collapse of Wall Street that precipitated today's economic crisis has many causes—from regulatory failures to recklessness and greed.

But before Congress begins writing new rules, one more factor we must examine is criminal behavior by anyone, from the local mortgage broker to some of our biggest banks. Let's commit ourselves to enforcing the laws that were on the books and to throwing those who broke them in jail.

I am not prejudging anyone. We may well find that only a small percentage of cases involved outright criminal behavior, and we must take care that our anger does not cloud our judgment. But people know that if they rob a bank they will go to jail. Bankers should know that if they rob people they will go to jail too.

We have seen anecdotal evidence that mortgage brokers may have fraudulently solicited mortgages or used predatory practices; bankers may have neglected due diligence in the design and marketing of some mortgage-related products; credit rating agencies may have been conflicted by the fees they earned from the very bankers whose shaky products they stamped "AAA," the highest credit rating; and, finally, as the housing bubble burst, banks may have engaged in a widespread failure to disclose material information as they went from supposedly profitable institutions to insolvent overnight, leaving investors holding the bag.

Where were the lawyers and accountants who are paid to keep an eye on such actions? Was there so much cash around that the professionals who make these deals possible became blind to their duties?

Attorney General Eric Holder has emphasized it is only by drilling down into the records of complicated financial transactions that Federal law enforcement officials can understand exactly what happened and investigate the people and firms involved. Unfortunately, right now, the resources are not available to do so.

That is why Senate Judiciary Committee chairman PAT LEAHY, Senator CHUCK GRASSLEY, and I introduced S. 386, the Fraud Enforcement and Recovery Act of 2009. This is a bipartisan bill. It provides financial support to the investigative arms of Federal law enforcement and regulatory agencies so they can find the crimes we know have already been committed. It also amends fraud statutes to protect us against those who may be tempted to cheat like this in the future.

At a recent hearing, FBI Deputy Director John Pistole testified that the

very necessary shift of resources to counterterrorism efforts—it was right to shift resources in the FBI to counterterrorism efforts—has had a significant impact on the FBI's ability to investigate sophisticated financial crime.

Mr. Pistole said the increasing financial fraud caseload “is straining the FBI's limited white collar crime resources.”

Currently, the FBI has only 240 agents investigating complex financial fraud. During the savings and loan crisis in the 1980s, the FBI had more than 1,000 agents investigating financial fraud. We must increase dramatically the number and training of FBI agents investigating financial fraud.

Mr. Pistole told the committee the FBI is already investigating 530 open corporate fraud investigations, and only 38 of those are directly related to the current financial crisis.

Again, as Mr. Pistole said:

More must be done to protect our country and our economy from those who attempt to enrich themselves.

This bill authorizes \$155 million a year for hiring fraud prosecutors and investigators at the Justice Department for 2010 and 2011. That amount includes \$65 million a year for 190 additional FBI special agents and more than 200 professionals to fight white collar crime.

We know prosecuting bad behavior by itself will not put an end to all bad behavior, but it will make those people in the boardrooms, at the trading desks, and in the mortgage industry think twice before they look the other way, give way to greed over financial duty or deal from the bottom of the deck.

I believe deeply in the free market economy. I believe deeply in capitalism and the importance of an open financial system. Indeed, I believe our very democracy depends on fair and functioning markets. That is why we simply cannot give a pass to this kind of illegal behavior.

The men and women who duped would-be homeowners, who defrauded the American investor, who contributed to an economic crisis of historic proportions, need to be identified, prosecuted, convicted, and thrown in jail. And in cases where the conduct falls short of criminal, our regulators must also pursue civil cases to force perpetrators to pay back their ill-gotten gain and bar these people from future securities work.

I have heard people say prosecutors must tread carefully, that the law is a blunt instrument. They will say that if we turn prosecutors loose on our key financial institutions, the economic repercussions will outweigh any benefits.

To that I say: Of course, we must be judicious, but the law of the land applies to everyone. When it is pointed at you, the law can always be characterized as a blunt instrument.

At the end of the day, this is a test of whether we have one justice system in the country or two. If we do not treat a Wall Street firm that defrauded in-

vestors of millions of dollars the same way we treat someone who stole \$500 from a cash register, then how can we expect our citizens to have any faith in the rule of law?

For our economy to work for all Americans, investors must have confidence in the honest and open functioning of our financial markets. Our markets can only flourish when Americans again trust that they are fair, transparent, and accountable to the laws.

In closing, I applaud Chairman LEAHY and Senator GRASSLEY for their leadership on this issue. I am proud to join with them in this effort. I am hopeful the Judiciary Committee will approve this bill when we take it up on Thursday.

I yield the floor and 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. KAUFMAN. Madam 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. KAUFMAN. Madam President, I ask unanimous consent the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY RULES OF PROCEDURE

Mr. HARKIN. Madam President, the Committee on Agriculture, Nutrition, and Forestry has adopted rules governing its procedures for the 111th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator CHAMBLISS, I ask unanimous consent to have a copy of the committee rules printed in the RECORD.

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

RULES OF THE COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

RULE I—MEETINGS

1.1 Regular Meetings.—Regular meetings shall be held on the first and third Wednesday of each month when Congress is in session.

1.2 Additional Meetings.—The Chairman, in consultation with the ranking minority member, may call such additional meetings as he deems necessary.

1.3 Notification.—In the case of any meeting of the committee, other than a regularly scheduled meeting, the clerk of the committee shall notify every member of the committee of the time and place of the meeting and shall give reasonable notice which, except in extraordinary circumstances, shall be at least 24 hours in advance of any meeting held in Washington, DC, and at least 48

hours in the case of any meeting held outside Washington, DC.

1.4 Called Meeting.—If three members of the committee have made a request in writing to the Chairman to call a meeting of the committee, and the Chairman fails to call such a meeting within 7 calendar days thereafter, including the day on which the written notice is submitted, a majority of the members may call a meeting by filing a written notice with the clerk of the committee who shall promptly notify each member of the committee in writing of the date and time of the meeting.

1.5 Adjournment of Meetings.—The Chairman of the committee or a subcommittee shall be empowered to adjourn any meeting of the committee or a subcommittee if a quorum is not present within 15 minutes of the time scheduled for such meeting.

RULE 2—MEETINGS AND HEARINGS IN GENERAL

2.1 Open Sessions.—Business meetings and hearings held by the committee or any subcommittee shall be open to the public except as otherwise provided for in Senate Rule XXVI, paragraph 5.

2.2 Transcripts.—A transcript shall be kept of each business meeting and hearing of the committee or any subcommittee unless a majority of the committee or the subcommittee agrees that some other form of permanent record is preferable.

2.3 Reports.—An appropriate opportunity shall be given the Minority to examine the proposed text of committee reports prior to their filing or publication. In the event there are supplemental, minority, or additional views, an appropriate opportunity shall be given the Majority to examine the proposed text prior to filing or publication.

2.4 Attendance.—(a) Meetings. Official attendance of all markups and executive sessions of the committee shall be kept by the committee clerk. Official attendance of all subcommittee markups and executive sessions shall be kept by the subcommittee clerk.

(b) Hearings. Official attendance of all hearings shall be kept, provided that, Senators are notified by the committee Chairman and ranking minority member, in the case of committee hearings, and by the subcommittee Chairman and ranking minority member, in the case of subcommittee hearings, 48 hours in advance of the hearing that attendance will be taken. Otherwise, no attendance will be taken. Attendance at all hearings is encouraged.

RULE 3—HEARING PROCEDURES

3.1 Notice.—Public notice shall be given of the date, place, and subject matter of any hearing to be held by the committee or any subcommittee at least 1 week in advance of such hearing unless the Chairman of the full committee or the subcommittee determines that the hearing is noncontroversial or that special circumstances require expedited procedures and a majority of the committee or the subcommittee involved concurs. In no case shall a hearing be conducted with less than 24 hours notice.

3.2 Witness Statements.—Each witness who is to appear before the committee or any subcommittee shall file with the committee or subcommittee, at least 24 hours in advance of the hearing, a written statement of his or her testimony and as many copies as the Chairman of the committee or subcommittee prescribes.

3.3 Minority Witnesses.—In any hearing conducted by the committee, or any subcommittee thereof, the minority members of the committee or subcommittee shall be entitled, upon request to the Chairman by the ranking minority member of the committee or subcommittee to call witnesses of their selection during at least 1 day of such hearing pertaining to the matter or matters heard by the committee or subcommittee.