

years when she was the only anti-apartheid member of South Africa's Parliament, Helen Suzman provided the voice of reason that reminded the world of the injustices that persisted in South Africa.

Helen Suzman's intelligence, courage, and perseverance helped to end apartheid in South Africa. Her contribution to ending that evil has become a symbol of hope for millions in South Africa and around the world. That is a powerful and inspiring legacy, and it is one I am pleased to recognize and celebrate today.●

#### MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 181. A bill to amend title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967, and to modify the operation of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, to clarify that a discriminatory compensation decision or other practice that is unlawful under such Acts occurs each time compensation is paid pursuant to the discriminatory compensation decision or other practice, and for other purposes.

S. 182. A bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SCHUMER, from the Joint Economic Committee:

Special Report entitled "2008 Joint Economic Report" (Rept. No. 111-1). Minority views filed.

By Mr. KERRY, from the Committee on Small Business and Entrepreneurship:

Special Report entitled "Summary of Legislative and Oversight Activities During the 110th Congress" (Rept. No. 111-2).

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. INHOFE:

S. 192. A bill to authorize the Secretary of the Interior to convey to the McGee Creek Authority certain facilities of the McGee Creek Project, Oklahoma, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. FEINSTEIN (for herself, Mr. BROWNBACK, Mr. INOUE, Mr. ROBERTS, Mr. AKAKA, Mr. VOINOVICH, Mrs. BOXER, Mr. JOHANNES, Mr. NELSON of Nebraska, and Mr. BROWN):

S. 193. A bill to create and extend certain temporary district court judgeships; to the Committee on the Judiciary.

By Mr. CASEY (for himself, Ms. SNOWE, and Mr. VOINOVICH):

S. 194. A bill to amend the Emergency Food Assistance Act of 1983 to require the Secretary of Agriculture to help offset the costs of intrastate transportation, storage, and distribution of bonus commodities pro-

vided to States and food assistance agencies under the emergency food assistance program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DORGAN:

S. 195. A bill to extend oversight, accountability, and transparency provisions of the Emergency Economic Assistance Act of 2008 to all Federal emergency economic assistance to private entities, to impose tough conditions for all recipients of such emergency economic assistance, to set up a Federal task force to investigate and prosecute criminal activities that contributed to our economic crisis, and to establish a bipartisan financial market investigation and reform commission, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DODD (for himself, Mr. LIEBERMAN, Mr. KERRY, and Mr. KENNEDY):

S. 196. A bill to amend the Quinebaug and Shetucket Rivers Valley National Heritage Corridor Act of 1994 to increase the authorization of appropriations and modify the date on which the authority of the Secretary of the Interior terminates under the Act; to the Committee on Energy and Natural Resources.

By Mr. FEINGOLD (for himself, Mr. CRAPO, Mrs. BOXER, Mr. CARDIN, Mr. BROWNBACK, Mr. KERRY, Mr. KOHL, and Ms. LANDRIEU):

S. 197. A bill to assist in the conservation of cranes by supporting and providing, through projects of persons and organizations with expertise in crane conservation, financial resources for the conservation programs of countries the activities of which directly or indirectly affect cranes and the ecosystem of cranes; to the Committee on Environment and Public Works.

By Mr. SANDERS (for himself and Mr. LEAHY):

S. 198. A bill to direct the Secretary of Transportation to waive non-Federal share requirements for certain transportation programs and activities through September 30, 2009; to the Committee on Environment and Public Works.

By Mr. SPECTER (for himself and Mr. CASEY):

S. 199. A bill to establish the Steel Industry National Historic Site in the State of Pennsylvania; to the Committee on Energy and Natural Resources.

#### ADDITIONAL COSPONSORS

S. 42

At the request of Mr. ENSIGN, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 42, a bill to amend title II of the Social Security Act to preserve and protect Social Security benefits of American workers and to help ensure greater congressional oversight of the Social Security system by requiring that both Houses of Congress approve a totalization agreement before the agreement, giving foreign workers Social Security benefits, can go into effect.

S. 47

At the request of Mr. ENSIGN, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 47, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communication services.

S. 133

At the request of Mrs. FEINSTEIN, the name of the Senator from Wisconsin

(Mr. FEINGOLD) was added as a cosponsor of S. 133, a bill to prohibit any recipient of emergency Federal economic assistance from using such funds for lobbying expenditures or political contributions, to improve transparency, enhance accountability, encourage responsible corporate governance, and for other purposes.

S. 164

At the request of Mr. ENSIGN, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 164, a bill to improve consumer access to passenger vehicle loss data held by insurers.

S. 170

At the request of Mr. GREGG, the names of the Senator from California (Mrs. BOXER), the Senator from Massachusetts (Mr. KERRY), the Senator from Rhode Island (Mr. REED), and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of S. 170, a bill to authorize the acquisition of interests in undeveloped coastal areas in order better to ensure their protection from development and for other purposes.

S. 181

At the request of Ms. MIKULSKI, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 181, a bill to amend title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967, and to modify the operation of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, to clarify that a discriminatory compensation decision or other practice that is unlawful under such Acts occurs each time compensation is paid pursuant to the discriminatory compensation decision or other practice, and for other purposes.

S. 182

At the request of Mrs. CLINTON, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 182, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. RES. 10

At the request of Mr. MCCONNELL, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. Res. 10, a resolution recognizing the right of Israel to defend itself against attacks from Gaza and reaffirming the United States' strong support for Israel in its battle with Hamas, and supporting the Israeli-Palestinian peace process.

At the request of Mr. REID, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. Res. 10, supra.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. BROWNBACK, Mr. INOUE,

Mr. ROBERTS, Mr. AKAKA, Mr. VOINOVICH, Mrs. BOXER, Mr. JOHANNIS, Mr. NELSON of Nebraska, and Mr. BROWN):

S. 193. A bill to create and extend certain temporary district court judgeships; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce a bill to provide urgently needed relief to federal district courts in California, Hawaii, Kansas, Nebraska, and Ohio.

This bill is supported by both Senators from all five of the States affected Senators BOXER and myself, Senators BROWBACK and ROBERTS, Senators AKAKA and INOUE, Senators NELSON and JOHANNIS, and Senators BROWN and VOINOVICH.

The bill is identical to a bill passed by the Senate by unanimous consent last year. I hope that my colleagues will move expeditiously to consent to this bill once again.

The bill creates one new temporary judgeship in the Eastern District of California and one in the District of Nebraska, and it extends temporary judgeships in the District of Hawaii, the District of Kansas, and the Northern District of Ohio.

The bill has broad, bipartisan support because the relief it provides is sorely needed. All of these courts face overwhelming caseloads that are leading to judicial burnout and long delays in the administration of justice. The bill, put simply, provides assistance to districts that do not have enough judges to handle the work assigned to them.

I have been concerned about this problem in the Eastern District of California for many years now.

According to statistics provided by the Administrative Office of the United States Courts, the Eastern District's caseload burden is higher, on a sustained basis, than any other district in the country.

In 2008, the judges in the Eastern District handled 968 cases each. That is twice the number of cases that the Judicial Conference recommends. In fact, the Judicial Conference has recommended that Congress create a new judgeship in a district whenever a threshold of 430 cases per judge is reached.

A caseload burden of this magnitude is not only a problem for judges. The people who live in the district and other litigants who appear before the court are also affected.

Victims of crime are forced to endure long waiting periods to see justice done. Citizens find that they are unable to resolve their civil disputes promptly. And plaintiffs face extensive delays in getting damages or restitution for harms that they have suffered.

Currently, people who have cases in the Eastern District court are facing delays of approximately 42 months from filing to verdict. That is three and a half years—twice the national average for federal court delays. This kind of delay is simply unacceptable.

The delays are by no means the fault of the district judges either. By every measure, the judges in the Eastern District are among the most productive in the nation.

In 2008, each of the district's active judges completed 903 cases. In addition to this extraordinary effort, two of the five senior judges carry a full load.

One senior judge has explained that he has not reduced his workload for two reasons: "[F]irst the district is so short of needed judges that it appears to me unjust to leave those who require a court either to resolve criminal cases or resolve their civil cases; second, I have felt great compassion for my colleagues who would be left with a still more unmanageable case load if I left or even cut down on my load."

In California, the overwhelming burden on the Eastern District court is no secret. This past summer, the Chief Judge of the Ninth Circuit called on all judges in the Circuit—district and circuit judges alike—to volunteer to hear 15 cases in the Eastern District each. Although 84 federal judges generously stepped forward to relieve the District of more than 1,000 cases, thousands of cases remain pending.

The Eastern District of California should not be forced to rely on temporary assistance from judges from other districts. Each court needs enough judges to handle its caseload in a reasonably timely manner.

Although not sufficient, one temporary district judgeship would provide much needed relief to the hardworking judges of the Eastern District and the litigants who come before them. Based on last year's filings, one new judgeship would reduce the filings per judge from 968 to 572.

Congress has not authorized a new permanent judgeship for the district since 1978. In 1992, a temporary judgeship was authorized, but that judgeship expired in 2004. Last year, a bill that I co-sponsored—the Federal Judgeship Act of 2008—would have provided four new permanent judgeships, but that bill stalled before the full Senate after being favorably reported out of the Judiciary Committee.

This bill was introduced by Senator LEAHY last year, and I want to thank him for all of his work on its behalf. The bill passed the Senate by unanimous consent. This year, the need is only greater, as caseloads have only increased.

I urge my colleagues to consent to this bill once again, and to do so in an expeditious manner.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 193

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. TEMPORARY JUDGESHIPS FOR DISTRICT COURTS.

(a) ADDITIONAL TEMPORARY JUDGESHIPS.—

(1) IN GENERAL.—The President shall appoint, by and with the advice and consent of the Senate—

(A) 1 additional district judge for the eastern district of California; and

(B) 1 additional district judge for the district of Nebraska.

(2) VACANCIES NOT FILLED.—The first vacancy in the office of district judge in each of the offices of district judge authorized by this subsection, occurring 10 years or more after the confirmation date of the judge named to fill the temporary district judgeship created in the applicable district by this subsection, shall not be filled.

(b) EXTENSION OF CERTAIN TEMPORARY JUDGESHIPS.—Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101-650; 28 U.S.C. 133 note) is amended—

(1) in the second sentence, by inserting "the district of Hawaii," after "Pennsylvania,";

(2) in the third sentence (relating to the district of Kansas), by striking "17 years" and inserting "26 years";

(3) in the fifth sentence (relating to the northern district of Ohio), by striking "17 years" and inserting "25 years"; and

(4) by inserting "The first vacancy in the office of district judge in the district of Hawaii occurring 20 years or more after the confirmation date of the judge named to fill the temporary judgeship created under this subsection shall not be filled." after the sixth sentence.

By Mr. CASEY (for himself, Ms. SNOWE, and Mr. VOINOVICH):

S. 194. A bill to amend the Emergency Food Assistance Act of 1983 to require the Secretary of Agriculture to help offset the costs of intrastate transportation, storage, and distribution of bonus commodities provided to States and food assistance agencies under the emergency food assistance program; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. CASEY. Mr. President, I rise today to introduce the Bonus TEFAP Assistance Act of 2009 with my colleagues Senator SNOWE and Senator VOINOVICH. Our bill provides immediate and valuable assistance to our national food banks and the families who rely on food banks to put meals on the table by ensuring that food banks can accept and distribute food donations they might otherwise have had to decline. Our bill has the support of Feeding America, formerly known as America's Second Harvest, the national hunger relief charity that operates a network of over 200 food banks across America.

We are in the middle of a crisis. The on-going economic crisis is the worst in a generation, but this crisis is more than stock prices and market certainty. The economic crisis has a face. The faces of hardworking Pennsylvanians who suddenly find themselves unable to afford food for the family meals. The economic crisis is also a hunger crisis—a crisis that is pushing more people to apply for Federal nutrition programs and stand in line at the local food bank. It is a crisis that threatens to undo all of the progress we have made over the past few decades to end hunger in America.

The United States Department of Agriculture, USDA, reported that, for

2006, 35.5 million Americans did not have enough money or resources to get food for at least some period during the year. This figure was an increase of 400,000 over 2005 and an increase of 2.3 million since 2000. With the fragile State of our economy, it is extremely likely that these figures for 2007 and 2008 will be even more devastating. The only recourse for these millions of families is to turn to federal food assistance programs and emergency food banks for their basic food needs.

Unfortunately, as articles in national publications like the USA Today and the New York Times have highlighted, there is a critical lack of food inventories available in local food pantries across the country. Rising demand, sharp drops in federal supplies of excess commodities, and declining donations have forced food banks to cut back on rations, and in some cases, close their doors. In short, America's food banks are facing critical shortages now.

As a member of the Senate Committee on Agriculture, Nutrition, and Forestry, I was proud to help create last year's farm bill. The bill helps food banks by providing additional annual funding to shore up food bank supplies. But there are additional measures that we can take to help ensure that food banks can continue to fulfill their mission.

That's why today I'm pleased introduce the Bonus TEFAP Assistance Act of 2009. This legislation provides the critical support needed to ensure food assistance agencies, already in desperate need of supplies, can take full advantage of the distributions of bonus food commodities supplied by USDA through the Emergency Food Assistance Program, TEFAP. By helping to offset the intrastate storage, transportation, and distribution costs the food assistance agencies incur to distribute these bonus food surpluses, the bill ensures that commodities reach the greatest number of needy individuals.

The Emergency Food Assistance Program began in 1981 as a temporary program with dual purposes; it was intended to help reduce the Federal food inventories and storage costs while also assisting the needy. Because of the program's success in helping distribute food to those in need, in 1988, after much of the federal inventory was depleted, the Hunger Prevention Act authorized funds to be appropriated to purchase food for TEFAP.

Under current-day TEFAP, the USDA provides states and food assistance agencies with commodities bought specifically for the program and with funding to help cover distributing agencies' intrastate storage, handling, and distribution costs. In addition, when available, USDA provides any excess food not needed to fulfill other program requirements to States for allocation to local food assistance agencies. This excess food is known as "bonus TEFAP." Unfortunately, while the USDA generously distributes these bonus TEFAP commodities to the

States, many of the State and food assistance agencies are unable to accept the bonus TEFAP commodities because they do not have the resources to store, transport, or distribute them.

The Bonus TEFAP Assistance Act of 2009 that I am introducing today alleviates this problem by providing offsetting funds to recipient agencies to assist with the costs of storing, transporting, and distributing bonus TEFAP commodities. The funds provided through this legislation will help to provide more food to those in need through food banks, food pantries, emergency shelters, soup kitchens, and other organizations that directly provide these resources to the public.

To solve the problem the inadequacy of local resources causes, the bill authorizes the Secretary of Agriculture to use existing funds granted under Section 32 of the Agricultural Adjustment Act of 1935. Currently, Section 32 funds are used to fund child nutrition programs and other programs to support the farm sector at the discretion of the Secretary. Through this legislation, a small portion of Section 32 funds would be allocated to each eligible recipient agency in the lesser amount of \$0.05 per pound or \$0.05 per dollar value of bonus TEFAP commodities. With this modest increase in funding, the States and their food assistance agencies will be able to accept more food distributions from the USDA through TEFAP, benefitting the many low-income recipients who rely on the program for emergency food and nutrition assistance.

I urge all of my colleagues to join Senator SNOWE, Senator VOINOVICH and me in ensuring that the States and food assistance agencies can accept the available excess commodity foods the USDA provides under the Emergency Assistance Food Program. Food assistance agencies are in dire need of funds, food, and supplies and we owe it to them to ensure that they can take full advantage of every opportunity to serve those in our nation who are in desperate need.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 194

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Bonus TEFAP Assistance Act of 2009".

#### SEC. 2. ASSISTANCE FOR COSTS OF DISTRIBUTING BONUS COMMODITIES.

(a) PURPOSES.—The purposes of this section are—

(1) to encourage States and food assistance agencies to accept commodities acquired by the Secretary of Agriculture for farm support and surplus removal activities; and

(2) to offset the costs of the States and food assistance agencies for the intrastate transportation, storage, and distribution of the commodities.

(b) COSTS OF DISTRIBUTING BONUS COMMODITIES.—Section 202 of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7502) is amended by inserting after subsection (a) the following:

“(b) COSTS OF DISTRIBUTING BONUS COMMODITIES.—

“(1) IN GENERAL.—The Secretary shall use funds made available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), to provide funding described in paragraph (2) to eligible recipient agencies to offset the costs of the agencies for intrastate transportation, storage, and distribution of commodities described in subsection (a).

“(2) FUNDING.—The Secretary shall provide funding described in paragraph (1) to an eligible recipient agency at a rate equal to the lower of \$0.05 per pound or \$0.05 per dollar value of commodities described in subsection (a) that are made available under this Act to, and accepted by, the eligible recipient agency.”.

By Mr. FEINGOLD (for himself,  
Mr. CRAPO, Mrs. BOXER, Mr.  
CARDIN, Mr. BROWNBACK, Mr.  
KERRY, Mr. KOHL, and Ms.  
LANDRIEU):

S. 197. A bill to assist in the conservation of cranes by supporting and providing, through projects of persons and organizations with expertise in crane conservation, financial resources for the conservation programs of countries the activities of which directly or indirectly affect cranes and the ecosystem of cranes; to the Committee on Environment and Public Works.

Mr. FEINGOLD. Mr. President, I am introducing the Crane Conservation Act of 2009. I am very pleased that Senator CRAPO has once again agreed to lead on this legislation with me. I am always glad to work with my colleagues from across the aisle. We are pleased to be joined by Senators BOXER, BROWNBACK, CARDIN, KERRY, KOHL, LANDRIEU, and MARTINEZ, who are cosponsors of this legislation.

The Crane Conservation Act will ensure we do our part to protect the existence of these birds, whose cultural significance and popular appeal can be seen worldwide. This legislation is particularly important to the people of Wisconsin, as our state provides habitat and refuge to several crane species. But this legislation, which authorizes the United States Fish and Wildlife Service to distribute funds and grants to crane conservation efforts both domestically and in developing countries, promises to have a larger environmental and cultural impact that will go far beyond the boundaries of my home State.

Congress' efforts to help protect and recover species throughout the world began in earnest in 1994 when Congress passed and the President signed the Rhinoceros and Tiger Conservation Act. The passage of this act provided support for multinational rhino and tiger conservation by authorizing the United States Fish and Wildlife Service to distribute up to \$10 million in grants every year to support projects in developing countries. Since 1994, Congress has established the "multinational species conservation fund" to cover other

species, such as elephants and great apes.

Today, with the legislation I am introducing, I am asking Congress to add cranes to this list. Cranes are the most endangered family of birds in the world, with 11 of the world's 15 species at risk of extinction. Specifically, this legislation would authorize up to \$5 million of funds per year for fiscal years 2008 through 2012 to be distributed as conservation project grants to protect cranes and their habitat in Asia, Africa, and North America. In keeping with my belief that we should balance the budget, this bill proposes that the \$25 million in authorized spending over 5 years for the Crane Conservation Act should be offset through the Secretary of Interior's administrative budget. This bill is similar to legislation I have introduced since the 107th Congress and I was very pleased that last Congress the bill passed the House of Representatives and the Senate Environment and Public Works Committee and was positioned to pass the Senate before stalling late in the last Congress.

I am offering this legislation due to the serious and significant decline that can be expected in crane populations worldwide without further conservation efforts. Those efforts have achieved some success in the case of the North American whooping crane, the rarest crane on earth. By 1890, the whooping crane disappeared from its main migratory route from Idaho through Wyoming and Colorado to New Mexico. In 1944, only 21 birds remained along the migratory route between Montana and Texas' Aransas National Wildlife Refuge, via the Dakotas, Nebraska, Kansas, and Oklahoma. Unfortunately, the breeding grounds for this remaining flock were unknown, but since they were discovered in Canada in 1955, cooperative efforts between the United States and Canada have been under way to recover the species. Today, this flock remains the only wild flock of North American whooping cranes that breeds in northwest Canada, and spends its winters in coastal Texas.

In 1980, a new course was chartered for recovering the species, and captive breeding efforts began at Patuxent Wildlife Research Center in Maryland in hopes of rearing chicks for release in the wild—today, captive breeding centers are also located at New Orleans' Audubon Species Survival Center and Canada's Calgary Zoo.

These breeding efforts blossomed into efforts to reintroduce a migratory flock of whooping cranes into their historic range in the Eastern United States. In 2001 this became a reality when the first class of whooping cranes followed their "mother" (actually an ultra light aircraft) over 1,300 miles to their wintering grounds.

The movement of this flock of birds shows how any effort by Congress to regulate crane conservation needs to cross both national and international

lines. As this flock of birds makes its journey from Wisconsin's Necedah National Wildlife Refuge to Florida's Chassahowitzka National Wildlife Refuge and back, the birds rely on the ecosystems of a multitude of states in this country. Along the journey which traverses through Illinois, Indiana, Kentucky, Tennessee, and Georgia the birds face threats from pollution of traditional watering grounds, collision with utility lines, human disturbance, disease, predation, loss of genetic diversity within the population, and vulnerability to catastrophes, both natural and man-made.

However, the birds can also rely on private landowners, the vast majority of whom have enthusiastically welcomed the birds to their rest on their land. Through its extensive outreach and education program, the Whooping Crane Eastern Partnership has obtained the consistent support of farmers and other private landowners to make this important recovery program a success. On every front, this partnership is unique. This ongoing recovery effort would not be possible without the cooperative efforts of federal and state governments, landowners, volunteers, and non-governmental organizations. Seven years later, these partnerships support an ever-growing eastern crane population, now numbering over sixty.

While over the course of the last half-century, North American whooping cranes have begun to make a slow recovery, many species of crane in Africa and Asia have declined, including the sarus crane of Asia and the wattled crane of Africa.

The sarus crane stands four feet tall and can be found in the wetlands of northern India and south Asia. These birds require large, open, well watered plains or marshes to breed and survive. Due to agricultural expansion, industrial development, river basin development, pollution, warfare, and heavy use of pesticides prevalent in India and southeast Asia, the sarus crane population has been in decline. Furthermore, in many areas, a high human population concentration compounds these factors. On the Mekong River, which runs through Cambodia, Vietnam, Laos, Thailand, and China, human population growth and planned development projects threaten the sarus crane. Reports from India, Cambodia, and Thailand have also cited incidences of the trading of adult birds and chicks, as well as hunting and egg stealing in the drop in population of the sarus crane.

Only three subspecies of the sarus crane exist today. One resides in northern India and Nepal, one resides in southeast Asia, and one resides in northern Australia. Their population is about 8,000 in the main Indian population, with recent numbers showing a rapid decline. In Southeast Asia, only 1,000 birds remain.

The situation of the sarus crane in Asia is mirrored by the situation of the

wattled crane in Africa. In Africa, the wattled crane is found in the southern and eastern regions, with an isolated population in the mountains of Ethiopia. Current population estimates range between 6,000 to 8,000 and are declining rapidly, due to loss and degradation of wetland habitats, as well as intensified agriculture, dam construction, and industrialization. In other parts of the range, the creation of dams has changed the dynamics of the flood plains, thus further endangering these cranes and their habitats. Human disturbance at or near breeding sites also continues to be a major threat. Lack of oversight and education over the actions of people, industry, and agriculture is leading to reduced preservation for the lands on which cranes live, thereby threatening the ability of cranes to survive in these regions.

If we do not act now, not only will cranes face extinction, but the ecosystems that depend on their contributions will suffer. With the decline of the crane population, the wetlands and marshes they inhabit can potentially be thrown off balance. I urge my colleagues to join me in supporting legislation that can provide funding to the local farming, education, and enforcement projects that can have the greatest positive effect on the preservation of both cranes and fragile habitats. This modest investment can secure the future of these exemplary birds and the beautiful areas in which they live. Therefore, I ask my colleagues to support the Crane Conservation Act of 2009.

This legislation is endorsed by African Wildlife Foundation, American Bird Conservancy, American Veterinary Medical Association, Association of Zoos and Aquariums, Audubon Nature Institute, Born Free USA, Conservation International, Defenders of Wildlife, Dian Fossey Gorilla Fund International, Fauna & Flora International, Humane Society of the United States, Humane Society International, International Crane Foundation, International Fund for Animal Welfare, International Rhino Foundation, National Wildlife Federation, National Wildlife Refuge Association, The Nature Conservancy, Sierra Club, Wildlife Alliance, Wildlife Conservation Society, and the World Wildlife Fund.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 197

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Crane Conservation Act of 2009".

#### SEC. 2. PURPOSES.

The purposes of this Act are—

- (1) to perpetuate healthy populations of cranes;
- (2) to assist in the conservation and protection of cranes by supporting—

(A) conservation programs in countries in which endangered and threatened cranes occur; and

(B) the efforts of private organizations committed to helping cranes; and

(3) to provide financial resources for those programs and efforts.

### SEC. 3. DEFINITIONS.

In this Act:

(1) CONSERVATION.—

(A) IN GENERAL.—The term “conservation” means the use of any method or procedure to improve the viability of crane populations and the quality of the ecosystems and habitats on which the crane populations depend to help the species achieve sufficient populations in the wild to ensure the long-term viability of the species.

(B) INCLUSIONS.—The term “conservation” includes the carrying out of any activity associated with scientific resource management, such as—

(i) protection, restoration, and management of habitat;

(ii) research and monitoring of known populations;

(iii) the provision of assistance in the development of management plans for managed crane ranges;

(iv) enforcement of the Convention;

(v) law enforcement and habitat protection through community participation;

(vi) reintroduction of cranes to the wild;

(vii) conflict resolution initiatives; and

(viii) community outreach and education.

(2) CONVENTION.—The term “Convention” has the meaning given the term in section 3 of the Endangered Species Act of 1973 (16 U.S.C. 1532).

(3) FUND.—The term “Fund” means the Crane Conservation Fund established by section 5(a).

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

### SEC. 4. CRANE CONSERVATION ASSISTANCE.

(a) IN GENERAL.—Subject to the availability of appropriations and in consultation with other appropriate Federal officials, the Secretary shall use amounts in the Fund to provide financial assistance for projects relating to the conservation of cranes for which project proposals are approved by the Secretary in accordance with this section.

(b) PROJECT PROPOSALS.—

(1) APPLICANTS.—

(A) IN GENERAL.—An applicant described in subparagraph (B) that seeks to receive assistance under this section to carry out a project relating to the conservation of cranes shall submit to the Secretary a project proposal that meets the requirements of this section.

(B) ELIGIBLE APPLICANTS.—An applicant described in this subparagraph is—

(i) any relevant wildlife management authority of a country that—

(I) is located within the African, Asian, European, or North American range of a species of crane; and

(II) carries out 1 or more activities that directly or indirectly affect crane populations;

(ii) the Secretariat of the Convention; and

(iii) any person or organization with demonstrated expertise in the conservation of cranes.

(2) REQUIRED ELEMENTS.—A project proposal submitted under paragraph (1)(A) shall include—

(A) a concise statement of the purpose of the project;

(B)(i) the name of each individual responsible for conducting the project; and

(ii) a description of the qualifications of each of those individuals;

(C) a concise description of—

(i) methods to be used to implement and assess the outcome of the project;

(ii) staff and community management for the project; and

(iii) the logistics of the project;

(D) an estimate of the funds and the period of time required to complete the project;

(E) evidence of support for the project by appropriate government entities of countries in which the project will be conducted, if the Secretary determines that such support is required to ensure the success of the project;

(F) information regarding the source and amount of matching funding available for the project; and

(G) any other information that the Secretary considers to be necessary for evaluating the eligibility of the project to receive assistance under this Act.

(c) PROJECT REVIEW AND APPROVAL.—

(1) IN GENERAL.—The Secretary shall—

(A) not later than 30 days after receiving a final project proposal, provide a copy of the proposal to other appropriate Federal officials; and

(B) review each project proposal in a timely manner to determine whether the proposal meets the criteria described in subsection (d).

(2) CONSULTATION; APPROVAL OR DISAPPROVAL.—Not later than 180 days after receiving a project proposal, and subject to the availability of appropriations, the Secretary, after consulting with other appropriate Federal officials, shall—

(A) consult on the proposal with the government of each country in which the project is to be carried out;

(B) after taking into consideration any comments resulting from the consultation, approve or disapprove the proposal; and

(C) provide written notification of the approval or disapproval to—

(i) the applicant that submitted the proposal;

(ii) other appropriate Federal officials; and

(iii) each country described in subparagraph (A).

(d) CRITERIA FOR APPROVAL.—The Secretary may approve a project proposal under this section if the Secretary determines that the proposed project will enhance programs for conservation of cranes by assisting efforts to—

(1) implement conservation programs;

(2) address the conflicts between humans and cranes that arise from competition for the same habitat or resources;

(3) enhance compliance with the Convention and other applicable laws that—

(A) prohibit or regulate the taking or trade of cranes; or

(B) regulate the use and management of crane habitat;

(4) develop sound scientific information on, or methods for monitoring—

(A) the condition of crane habitat;

(B) crane population numbers and trends; or

(C) the current and projected threats to crane habitat and population numbers and trends;

(5) promote cooperative projects on the issues described in paragraph (4) among—

(A) governmental entities;

(B) affected local communities;

(C) nongovernmental organizations; or

(D) other persons in the private sector;

(6) carry out necessary scientific research on cranes;

(7) provide relevant training to, or support technical exchanges involving, staff responsible for managing cranes or habitats of cranes, to enhance capacity for effective conservation; or

(8) reintroduce cranes successfully back into the wild, including propagation of a sufficient number of cranes required for this purpose.

(e) PROJECT SUSTAINABILITY; MATCHING FUNDS.—To the maximum extent practicable, in determining whether to approve a project proposal under this section, the Secretary shall give preference to a proposed project—

(1) that is designed to ensure effective, long-term conservation of cranes and habitats of cranes; or

(2) for which matching funds are available.

(f) PROJECT REPORTING.—

(1) IN GENERAL.—Each person that receives assistance under this section for a project shall submit to the Secretary, at such periodic intervals as are determined by the Secretary, reports that include all information that the Secretary, after consulting with other appropriate government officials, determines to be necessary to evaluate the progress and success of the project for the purposes of—

(A) ensuring positive results;

(B) assessing problems; and

(C) fostering improvements.

(2) AVAILABILITY TO THE PUBLIC.—Each report submitted under paragraph (1), and any other documents relating to a project for which financial assistance is provided under this Act, shall be made available to the public.

### SEC. 5. CRANE CONSERVATION FUND.

(a) ESTABLISHMENT.—There is established in the Multinational Species Conservation Fund established by the matter under the heading “MULTINATIONAL SPECIES CONSERVATION FUND” in title I of the Department of the Interior and Related Agencies Appropriations Act, 1999 (112 Stat. 2681-237; 16 U.S.C. 4246) a separate account to be known as the “Crane Conservation Fund”, consisting of—

(1) amounts transferred to the Secretary of the Treasury for deposit into the Fund under subsection (c); and

(2) amounts appropriated to the Fund under section 7.

(b) EXPENDITURES FROM FUND.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), upon request by the Secretary, the Secretary of the Treasury shall transfer from the Fund to the Secretary, without further appropriation, such amounts as the Secretary determines are necessary to provide assistance under section 4.

(2) ADMINISTRATIVE EXPENSES.—Of the amounts in the Fund available for each fiscal year, the Secretary may expend not more than 3 percent, or \$150,000, whichever is greater, to pay the administrative expenses necessary to carry out this Act.

(3) LIMITATION.—Not more than 20 percent of the amounts made available from the Fund for any fiscal year may be used for projects relating to the conservation of North American crane species.

(c) ACCEPTANCE AND USE OF DONATIONS.—

(1) IN GENERAL.—The Secretary may accept and use donations to provide assistance under section 4.

(2) TRANSFER OF DONATIONS.—Amounts received by the Secretary in the form of donations shall be transferred to the Secretary of the Treasury for deposit in the Fund.

### SEC. 6. ADVISORY GROUP.

(a) IN GENERAL.—To assist in carrying out this Act, the Secretary may convene an advisory group consisting of individuals representing public and private organizations actively involved in the conservation of cranes.

(b) PUBLIC PARTICIPATION.—

(1) MEETINGS.—The advisory group shall—

(A) ensure that each meeting of the advisory group is open to the public; and

(B) provide, at each meeting, an opportunity for interested persons to present oral or written statements concerning items on the agenda.

(2) NOTICE.—The Secretary shall provide to the public timely notice of each meeting of the advisory group.

(3) MINUTES.—Minutes of each meeting of the advisory group shall be kept by the Secretary and shall be made available to the public.

(c) EXEMPTION FROM FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the advisory group.

#### SEC. 7. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Fund \$5,000,000 for each of fiscal years 2009 through 2013, to remain available until expended.

(b) OFFSET.—Of amounts appropriated to, and available at the discretion of, the Secretary for programmatic and administrative expenditures, a total of \$25,000,000 shall be used to establish the Fund.

By Mr. SANDERS (for himself and Mr. LEAHY):

S. 198. A bill to direct the Secretary of Transportation to waive non-Federal share requirements for certain transportation programs and activities through September 30, 2009; to the Committee on Environment and Public Works.

Mr. LEAHY. Mr. President, I rise today with my colleague from Vermont, Senator SANDERS, to introduce a bill that will help states struggling with meeting non-federal match requirements for federal transportation funding under the Safe, Accountable, Flexible and Efficient Transportation Equity Act, SAFETEA. Representative PETER WELCH from Vermont introduced identical legislation in the House today as well.

Our States are struggling with enormous budget deficits due to the current economic crisis. As a result, nearly every one of our states has been forced to make drastic cuts to their transportation budgets. On top of that, state and local governments around the country report they do not have the necessary funding in their budgets to match any new Federal transportation money possibly forthcoming in an economic stimulus package. The inability of our states to improve roads and bridges, support public transit agencies facing record demand, and upgrade rail lines puts a strain on our already sagging economy.

Waiving the non-federal match requirements for all highway, transit, and rail projects contained in SAFETEA would allow cash-strapped states to implement high priority transportation projects immediately—at no additional cost to the Federal Government. Since State and local transportation officials have ready-to-go projects that simply cannot move forward without untying the strings of the required match, our legislation would waive the non-federal matching requirements of SAFETEA through September 30, 2009.

I hope my colleagues will take a good look at our bill and support this important legislation that will stimulate needed transportation infrastructure investments all across the country.

By Mr. SPECTER (for himself and Mr. CASEY):

S. 199. A bill to establish the Steel Industry National Historic Site in the State of Pennsylvania; to the Committee on Energy and Natural Resources.

Mr. SPECTER. Mr. President, I have sought recognition to introduce legislation that will honor the importance of the steel industry in the Commonwealth of Pennsylvania and the Nation by creating the “Steel Industry National Historic Site” in southwestern Pennsylvania.

The importance of the steel industry to the development of the United States cannot be overstated. A national historic site devoted to the history of the steel industry will afford all Americans the opportunity to celebrate this rich heritage, which is symbolic of the work ethic endemic to this great Nation. The legislation offered today would create a national historic site that would be affiliated with the National Park Service. There is no better place to honor our Nation's steel industry heritage than in southwestern Pennsylvania, which played a significant role in early industrial America and continues today.

I have long supported efforts to preserve and enhance the historical steel-related heritage through the Rivers of Steel National Heritage Area, which includes the city of Pittsburgh, and seven southwestern Pennsylvania counties: Allegheny, Armstrong, Fayette, Greene, Washington, and Westmoreland. I have sought and been very pleased with congressional support for the important work within the Rivers of Steel Heritage Area. I have consistently advocated for increased funding to support our National Heritage Areas and I am hopeful that this support will continue. However, more than just resources are necessary to ensure the historical recognition of this site and our steel heritage. That is why I am introducing this legislation today.

It is important to note why Pennsylvania should be the home of the national site that my legislation authorizes. The combination of a strong workforce, valuable natural resources, and Pennsylvania's strategic location in the heavily populated northeastern United States allowed the steel industry to thrive in the 19th and 20th centuries. Today, the remaining buildings and sites that were devoted to steel production are threatened with deterioration. Many of these sites are nationally significant and perfectly suited for the study and interpretation of this crucial period in our Nation's development. Some of these sites include the Carrie Furnace Complex, the Hot Metal Bridge, and the United States Steel Homestead Works, which would all become a part of the Steel Industry National Historic Site under my legislation. As testimony of the area's historic significance, on September 20, 2006, the Carrie Furnaces were designated as a National Historic Landmark by the Secretary of the Interior.

Highlights of this proposed national historic site would commemorate a wide range of accomplishments and topics for historical preservation and interpretation, including industrial technology advancements and milestones in labor-management relations. One of the sites that would be included in the historic site would be the location of the Battle of the Homestead, waged in 1892 between steelworkers and Pinkerton guards. The Battle of the Homestead marked a pivotal moment in our Nation's workers' rights movement. The Commonwealth of Pennsylvania, individuals, and public and private entities have attempted to protect and preserve resources such as the Homestead battleground and the Hot Metal Bridge. For the benefit and inspiration of present and future generations, it is time for the Federal Government to join this effort to recognize their importance with the additional protection I provide in this bill.

I commend my colleague, Representative DOYLE, who has been a long-standing leader in this preservation effort and who has sponsored this legislation in the U.S. House of Representatives. I look forward to working with officials in southwestern Pennsylvania and Mr. August Carlino, president and chief executive officer of the Steel Industry Heritage Corporation, to bring this national historic site designation to fruition. I urge my colleagues to support this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 199

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Steel Industry National Historic Site Act”.

#### SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds the following:

(1) Certain sites and structures in the Commonwealth of Pennsylvania symbolize in physical form the heritage of the steel industry of the United States.

(2) Certain buildings and other structures in the Commonwealth of Pennsylvania are nationally significant historical resources, including the United States Steel Homestead Works, the Carrie Furnace complex, and the Hot Metal Bridge.

(3) Despite substantial efforts for cultural preservation and historical interpretation by the Commonwealth of Pennsylvania and by individuals and public and private entities in the Commonwealth, these buildings and other structures may be lost without the assistance of the Federal Government.

(b) PURPOSES.—The purposes of this Act are to ensure the preservation, interpretation, visitor enjoyment, and maintenance of the nationally significant historical and cultural sites and structures described in subsection (a) for the benefit and inspiration of present and future generations.

#### SEC. 3. STEEL INDUSTRY NATIONAL HISTORIC SITE, PENNSYLVANIA.

(a) ESTABLISHMENT.—The Steel Industry National Historic Site is hereby established



as a unit of the National Park System in the Commonwealth of Pennsylvania.

(b) DESCRIPTION.—

(1) INCLUSION OF CERTAIN PROPERTY.—Subject to paragraph (2), the historic site shall consist of the following properties, each of which relate to the former United States Steel Homestead Works, as depicted on the map entitled “Steel Industry National Historic Site”, dated November 2003, and numbered 80,000:

(A) The historic location of the Battle of Homestead site in the borough of Munhall, Pennsylvania, consisting of approximately 3 acres of land, including the pumphouse and water tower and related structures, within the property bounded by the Monongahela River, the CSX railroad, Waterfront Drive, and the Damascus-Marcegaglia Steel Mill.

(B) The historic location of the Carrie Furnace complex in the boroughs of Swissvale and Rankin, Pennsylvania, consisting of approximately 35 acres of land, including blast furnaces 6 and 7, the ore yard, the cast house, the blowing engine house, the AC power house, and related structures, within the property bounded by the proposed southwesterly right-of-way line needed to accommodate the Mon/Fayette Expressway and the relocated CSX railroad right-of-way, the Monongahela River, and a property line drawn northeast to southwest approximately 100 yards east of the AC power house.

(C) The historic location of the Hot Metal Bridge, consisting of the Union railroad bridge and its approaches, spanning the Monongahela River and connecting the mill sites in the boroughs of Rankin and Munhall, Pennsylvania.

(2) AVAILABILITY OF MAP.—The map referred to in paragraph (1) shall be available for public inspection in an appropriate office of the National Park Service.

(c) ACQUISITION OF PROPERTY.—To further the purposes of this section, the Secretary of the Interior may acquire, only by donation, property for inclusion in the historic site as follows:

(1) Any land or interest in land with respect to the property identified in subsection (b)(1).

(2) Up to 10 acres of land adjacent to or in the general proximity of the property identified in such subsection, for the development of visitor, administrative, museum, curatorial, and maintenance facilities.

(3) Personal property associated with, and appropriate for, the interpretation of the historic site.

(d) PRIVATE PROPERTY PROTECTIONS.—Nothing in this Act shall be construed—

(1) to require any private property owner to permit public access (including Federal, State, or local government access) to the private property; or

(2) to modify any provision of Federal, State, or local law with regard to public access to or use of private property.

(e) ADMINISTRATION.—The Secretary of the Interior shall administer the historic site in accordance with this Act and the provisions of law generally applicable to units of the National Park System, including the Act of August 25, 1916 (16 U.S.C. 1 et seq.), and the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(f) COOPERATIVE AGREEMENTS.—

(1) IN GENERAL.—Until such time as the Secretary of the Interior has acquired the property identified in subsection (b)(1), as depicted on the map referred to in such subsection, the Secretary may enter into a cooperative agreement with any interested individual, public or private agency, organization, or institution to further the purposes of the historic site.

(2) CONTRARY PURPOSES.—Any payment made by the Secretary pursuant to a cooperative agreement under this subsection shall be subject to an agreement that conversion, use, or disposal of the project so assisted for purposes contrary to the purpose of the historic site, as determined by the Secretary, shall result in a right of the United States to reimbursement of all funds made available to such a project or the proportion of the increased value of the project attributable to such funds as determined at the time of such conversion, use, or disposal, whichever is greater.

(g) TECHNICAL ASSISTANCE.—The Secretary of the Interior may provide technical assistance to any person for—

(1) the preservation of historic structures within the historic site; and

(2) the maintenance of the natural and cultural landscape of the historic site.

(h) GENERAL MANAGEMENT PLAN.—

(1) PREPARATION.—Not later than three years after the date on which funds are first made available to carry out this Act, the Secretary of the Interior shall prepare a general management plan for the historic site that will incorporate or otherwise address substantive comments made during the consultation required by paragraph (2).

(2) CONSULTATION.—The Secretary shall prepare the general management plan in consultation with—

(A) an appropriate official of each appropriate political subdivision of the Commonwealth of Pennsylvania that has jurisdiction over all or a portion of the lands included in the historic site;

(B) an appropriate official of the Steel Industry Heritage Corporation; and

(C) private property owners in the vicinity of the historic site.

(3) SUBMISSION OF PLAN TO CONGRESS.—Upon the completion of the general management plan, the Secretary shall submit a copy of the plan to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives.

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## ORDERS FOR SUNDAY, JANUARY 11, 2009

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it stand in recess until 1 p.m. Sunday, January 11; that following the prayer and pledge, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of the motion to proceed to S. 22, the lands bill.

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

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## PROGRAM

Mr. REID. Under the previous order, at 2 p.m. Sunday, the Senate will proceed to a rollcall vote on the motion to invoke cloture on the motion to proceed to S. 22, the lands bill.

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## RECESS UNTIL SUNDAY, JANUARY 11, 2009, AT 1 P.M.

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand in recess under the previous order.

There being no objection, the Senate, at 2:43 p.m., recessed until Sunday, January 11, 2009, at 1 p.m.