

intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 34, line 7, before the period, insert the following: “: *Provided further*, That none of the funds made available under this Act may be used to carry out a pilot project to demonstrate energy savings through the use of improved insulating and sealing in homes built prior to 1980: *Provided further*, That, not later than 120 days after the date of enactment of this Act, the Secretary of Energy shall submit to Congress a report describing the plan of the Department of Energy for carrying out the Weatherization Assistance Program, including strategies to sustain the number of low-income units weatherized at levels comparable to the number of units weatherized under the American Recovery and Reinvestment Act of 2009 (Public Law 111-5)”.

**SA 1862.** Mr. ALEXANDER submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 68, between lines 15 and 16, insert the following:

**SEC. \_\_\_\_ . RESTRICTIONS ON TARP EXPENDITURES FOR AUTOMOBILE MANUFACTURERS; FIDUCIARY DUTY TO TAXPAYERS; REQUIRED ISSUANCE OF COMMON STOCK TO TAXPAYERS.**

(a) **SHORT TITLE.**—This section may be cited as the “Auto Stock for Every Taxpayer Act”.

(b) **PROHIBITION ON FURTHER TARP FUNDS.**—Notwithstanding any provision of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5201 et seq.) or any other provision of law, the Secretary may not expend or obligate any funds made available under that Act on or after the date of enactment of this Act with respect to any designated automobile manufacturer.

(c) **FIDUCIARY DUTY TO SHAREHOLDERS.**—With respect to any designated automobile manufacturer, the Secretary, and the designee of the Secretary who is responsible for the exercise of shareholder voting rights with respect to a designated automobile manufacturer pursuant to assistance provided under title I of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5201 et seq.), shall have a fiduciary duty to each eligible taxpayer for the maximization of the return on the investment of the taxpayer under that Act, in the same manner, and to the same extent that any director of an issuer of securities has with respect to its shareholders under the securities laws and all applicable provisions of State law.

(d) **REQUIRED ISSUANCE OF COMMON STOCK TO ELIGIBLE TAXPAYERS.**—Not later than 1 year after the emergence of any designated automobile manufacturer from bankruptcy protection described in subsection (f)(1)(B), the Secretary shall direct the designated automobile manufacturer to issue through the Secretary a certificate of common stock to each eligible taxpayer, which shall represent such taxpayer’s per capita share of the aggregate common stock holdings of the United States Government in the designated automobile manufacturer on such date.

(e) **CIVIL ACTIONS AUTHORIZED.**—A person who is aggrieved of a violation of the fiduciary duty established under subsection (c) may bring a civil action in an appropriate United States district court to obtain injunctive or other equitable relief relating to the violation.

(f) **DEFINITIONS.**—As used in this section—  
(1) the term “designated automobile manufacturer” means an entity organized under the laws of a State, the primary business of which is the manufacture of automobiles, and any affiliate thereof, if such automobile manufacturer—

(A) has received funds under the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5201 et seq.), or funds were obligated under that Act, before the date of enactment of this Act; and

(B) has filed for bankruptcy protection under chapter 11 of title 11, United States Code, during the 90-day period preceding the date of enactment of this Act;

(2) the term “eligible taxpayer” means any individual taxpayer who filed a Federal taxable return for taxable year 2008 (including any joint return) not later than the due date for such return (including any extension);

(3) the term “Secretary” means the Secretary of the Treasury or the designee of the Secretary; and

(4) the terms “director”, “issuer”, “securities”, and “securities laws” have the same meanings as in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c).

**SA 1863.** Mr. ALEXANDER submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 17, between lines 16 and 17, insert the following:

**SEC. 1 \_\_\_\_ .** Funding for the construction of the Chickamauga Lock and Dam shall be exempt from any requirement that limits the source of the funds made available for the construction of the Chickamauga Lock and Dam to funds made available out of the Inland Waterways Trust Fund.

**SA 1864.** Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

The National Renewable Energy Laboratory has determined the need to evolve a more comprehensive physical understanding of the casual relationships between atmospheric inflow phenomena and wind farm interaction and has identified the need to better understand the relationship as the key remaining science issue before new technology and microclimatology could be addressed.

Of the \$85,000,000 provided for wind energy under Energy Efficiency and Renewable Energy account, \$8 million shall be directed to the National Wind Resource Center for turbine and equipment purchase specifically for the purpose of operations research, turbine to turbine wake interaction, and the need to provide a demonstration platform for new turbine technology accelerating acceptance and adoption by the commercial industry.

## NOTICE OF HEARING

### COMMITTEE ON INDIAN AFFAIRS

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, July 30, 2009, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building to conduct an oversight hearing to examine the increase of gang activity in Indian country.

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

## AUTHORITY FOR COMMITTEES TO MEET

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

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 28, 2009 at 9:30 a.m. to conduct a hearing entitled “Regulatory Modernization: Perspectives on Insurance.”

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

### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Tuesday, July 28, 2009, at 10 a.m., in room 253 of the Russell Senate Office Building.

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

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a hearing on Tuesday, July 28, 2009, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

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

### COMMITTEE ON FOREIGN RELATIONS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, July 28, 2009, at 9:30 a.m.

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

### COMMITTEE ON FOREIGN RELATIONS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, July 28, 2009, at 2:15 p.m.

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

### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to

meet during the session of the Senate on Tuesday, July 28, 2009, at 10 a.m.

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

COMMITTEE ON THE JUDICIARY

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on July 28, 2009, at 10 a.m., in SH-216 of the Hart Senate Office Building.

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

SUBCOMMITTEE ON TERRORISM AND HOMELAND SECURITY

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Terrorism and Homeland Security, be authorized to meet during the session of the Senate on July 28, 2009, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office building, to conduct a hearing entitled "Prosecuting Terrorists: Civilian and Military Trials for GTMO and Beyond." The witness list is attached.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. DORGAN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 28, 2009, at 2:30 p.m.

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

PRIVILEGES OF THE FLOOR

Mrs. MURRAY. Mr. President, on behalf of Senator TESTER, I ask unanimous consent that his science fellow, David Szymanski, be given floor privileges during the consideration of H.R. 3183, the Energy and Water appropriations bill.

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

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, David Toepen, be granted the privilege of the floor for today's deliberations.

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

Mr. BENNETT. Mr. President, I ask unanimous consent that T.J. Kim of Senator VOINOVICH's staff be granted floor privileges for the duration of the Senate's consideration of H.R. 3183.

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

RECOGNIZING AND CELEBRATING THE 50TH ANNIVERSARY OF THE ENTRY OF HAWAII INTO THE UNION AS THE 50TH STATE

Mr. INOUE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 225, submitted earlier today.

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

The assistant bill clerk read as follows:

A resolution (S. Res. 225) recognizing and celebrating the 50th anniversary of the entry of Hawaii into the Union as the 50th State.

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

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

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

The resolution (S. Res. 225) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 225

Whereas August 21, 2009, marks the 50th anniversary of Proclamation 3309, signed by Dwight D. Eisenhower, which admitted Hawaii into the Union in compliance with the Hawaii Admission Act (Public Law 86-3; 73 Stat. 4), enacted into law on March 18, 1959;

Whereas Hawaii is a place like no other, with people like no other, and bridges mainland United States to the Asia-Pacific region;

Whereas the 44th President of the United States, Barack Obama, was born in Hawaii on August 4, 1961;

Whereas Hawaii contributed to a more diverse Congress by electing—

(1) the first Native Hawaiian member of Congress, Prince Jonah Kūhio Kalanianaʻōle;

(2) the first Asian-American Senator, Hiram Fong;

(3) the first woman of color elected to Congress, Patsy T. Mink;

(4) the first Native Hawaiian to serve in the Senate, Daniel Kahikina Akaka; and

(5) the first Japanese American to serve in the Senate, Daniel Ken Inouye;

Whereas Hawaii is an example to the rest of the world of unity and positive race relations;

Whereas Pearl Harbor is a strategic United States military base in the Pacific and became a national historic site after the December 7, 1941, surprise aerial attack by Japan that thrust the United States into World War II;

Whereas Hawaii is home to ¼ of the endangered species in the United States;

Whereas Hawaii has 8 national parks, which preserve volcanoes, complex ecosystems, a colony for victims of Hansen's disease, and other sites of historical and cultural significance;

Whereas Kilauea ranks among the most active volcanoes on Earth;

Whereas President George W. Bush nominated the Papahānaumokuākea Marine National Monument to the United Nations Educational, Scientific and Cultural Organization World Heritage Centre for consideration for the World Heritage List;

Whereas Hawaii has produced musical legends ranging from traditional favorites such as Alfred Apaka, Don Ho, and Genoa Keawe, to Hawaii renaissance performers such as Eddie Kamae, Raymond Kane, Gabby Pahinui, Israel Kamakawiwoʻole, the Brothers Cazimero, and the Beamer Brothers, to contemporary stars such as Keali'i Reichel, Ledward Kaapana, Jake Shimabukuro, and Raiatea Helm;

Whereas Hawaii is culturally rich because the Hawaiian culture has been protected

through Hawaiian language immersion schools, hula competitions such as the Merrie Monarch Festival, canoeing voyages undertaken by vessels such as the *Hokule'a*, and the continuing historic preservation of Hawaiian traditions;

Whereas the Hawaii Statehood Commission held a Joint Session of the Hawaii State Legislature in honor of statehood and will celebrate the milestone with a public discussion and the arrival of the USS *Hawaii*; and

Whereas for all of these reasons Hawaii is a truly unique State: Now, therefore, be it

*Resolved*, That the Senate recognizes and celebrates the 50th anniversary of the entry of Hawaii into the Union as the 50th State.

Mr. INOUE. Mr. President, 50 years ago next month, the 85th Congress of the United States voted to allow a tiny island archipelago made up of people of every race and creed and situated in the middle of the Pacific Ocean entry into the Union.

August 21, 2009, marks the 50th anniversary of the execution of Proclamation 3309, signed by President Dwight David Eisenhower, which admitted Hawaii into the Union as the 50th State.

On a personal note, 50 years ago today, I was elected by the people of Hawaii to serve as the first Member of the House of Representatives from the State of Hawaii. It is a moment I shall never forget. And on August 25, 1959, I had the great honor and privilege of standing behind the great President of the United States, Dwight David Eisenhower, when he signed Proclamation 3309.

The territory of Hawaii was annexed to the United States in 1898 by a joint resolution of Congress based on a treaty signed with the Hawaiian government. For many years thereafter, many delegations of Congressmen and Senators visited the territory of Hawaii to consider the pleas submitted by generations of our people requesting statehood. Finally, during the 85th Congress in 1959, members of the Committee on Interior and Insular Affairs and the Subcommittee on Territorial and Insular Affairs, led by Congressman Leo W. O'Brien, visited the territory of Hawaii to make an inquiry into granting it statehood. The members of the committee met with local leaders and government officials in Hawaii and noted that the islands of Hawaii formed a unique and successful racial melting pot and claimed that if the rest of the Nation could mix as well, our democracy would be advanced by a century.

The State of Hawaii has been a rich cultural addition to the United States, thanks to the ancient culture of Native Hawaiians, the diverse multiracial society created by generations of Asian and European immigrants, and the stunning natural beauty of our tropical climate. Hawaii has produced the first Chinese and Japanese American Members of Congress, the first woman of color in Congress, and the first Native Hawaiian in the Senate. The Honorable Barack Obama, the first African-American President of the United States, was born and raised in Honolulu, HI.

Hawaii is much more than hula dancing, lovely beaches, and beautiful