

## NAYS—6

Conyers Kucinich Paul  
Farr Nadler (NY) Waters

## NOT VOTING—14

Cao Kirk Taylor  
Cummings Moore (WI) Wamp  
Engel Oberstar Woolsey  
Griffith Putnam Young (AK)  
Hoekstra Slaughter

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1538

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

### HOMEBUYER ASSISTANCE AND IMPROVEMENT ACT OF 2010

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5623) to amend the Internal Revenue Code of 1986 to extend the homebuyer tax credit for the purchase of a principal residence before October 1, 2010, in the case of a written binding contract entered into with respect to such principal residence before May 1, 2010, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. LEVIN) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 409, nays 5, not voting 18, as follows:

[Roll No. 401]

## YEAS—409

Ackerman	Boehner	Carter
Aderholt	Bonner	Cassidy
Adler (NJ)	Bono Mack	Castle
Akin	Boozman	Castor (FL)
Alexander	Boren	Chaffetz
Altmire	Boswell	Chandler
Andrews	Boucher	Childers
Arcuri	Boustany	Chu
Austria	Boyd	Clarke
Baca	Brady (PA)	Clay
Bachmann	Brady (TX)	Cleaver
Bachus	Braley (IA)	Clyburn
Baird	Bright	Coble
Baldwin	Broun (GA)	Coffman (CO)
Barrett (SC)	Brown (SC)	Cohen
Barrow	Brown, Corrine	Cole
Bartlett	Brown-Waite,	Conaway
Barton (TX)	Ginny	Connolly (VA)
Bean	Buchanan	Conyers
Becerra	Burgess	Cooper
Berkley	Burton (IN)	Costa
Berman	Butterfield	Costello
Berry	Buyer	Courtney
Biggert	Calvert	Crenshaw
Bilbray	Camp	Critz
Bilirakis	Cantor	Crowley
Bishop (GA)	Capito	Cuellar
Bishop (NY)	Capps	Culberson
Bishop (UT)	Capuano	Dahlkemper
Blackburn	Cardoza	Davis (AL)
Blumenauer	Carmahan	Davis (CA)
Blunt	Carney	Davis (IL)
Bocieri	Carson (IN)	Davis (KY)

Davis (TN)	Kildee	Paulsen
DeFazio	Kilpatrick (MI)	Payne
DeGette	Kilroy	Pence
Delahunt	Kind	Perlmutter
DeLauro	King (IA)	Perriello
Dent	King (NY)	Peters
Deutch	Kingston	Petri
Diaz-Balart, L.	Kirkpatrick (AZ)	Pingree (ME)
Diaz-Balart, M.	Kissell	Pitts
Dicks	Klein (FL)	Platts
Dingell	Kline (MN)	Poe (TX)
Djou	Kosmas	Polis (CO)
Doggett	Kratovil	Pomeroy
Donnelly (IN)	Kucinich	Posey
Doyle	Lamborn	Price (GA)
Dreier	Lance	Price (NC)
Driehaus	Langevin	Quigley
Duncan	Larsen (WA)	Radanovich
Edwards (MD)	Larson (CT)	Rahall
Edwards (TX)	Latham	Rangel
Ehlers	LaTourette	Rehberg
Ellison	Latta	Reichert
Ellsworth	Lee (CA)	Reyes
Emerson	Lee (NY)	Richardson
Eshoo	Levin	Rodriguez
Etheridge	Lewis (CA)	Roe (TN)
Fallin	Lewis (GA)	Rogers (AL)
Farr	Lipinski	Rogers (KY)
Fattah	LoBiondo	Rogers (MI)
Filner	Loebach	Rohrabacher
Fleming	Lofgren, Zoe	Rooney
Forbes	Lowe	Ros-Lehtinen
Fortenberry	Lucas	Roskam
Foster	Luetkemeyer	Ross
Fox	Lujan	Rothman (NJ)
Frank (MA)	Lummis	Roybal-Allard
Franks (AZ)	Lungren, Daniel	Royce
Frelinghuysen	E.	Ruppersberger
Fudge	Lynch	Rush
Gallegly	Mack	Ryan (OH)
Garamendi	Maffei	Ryan (WI)
Garrett (NJ)	Maloney	Salazar
Gerlach	Manzullo	Sanchez, Linda
Giffords	Marchant	T.
Gingrey (GA)	Markey (CO)	Sanchez, Loretta
Gohmert	Markey (MA)	Sarbanes
Gonzalez	Marshall	Scalise
Goodlatte	Matheson	Schakowsky
Gordon (TN)	Matsui	Schauer
Granger	McCarthy (CA)	Schiff
Graves (GA)	McCarthy (NY)	Schmidt
Graves (MO)	McCaul	Schock
Grayson	McCollum	Schrader
Green, Al	McCotter	Scott (GA)
Green, Gene	McDermott	Scott (VA)
Grijalva	McGovern	Sensenbrenner
Guthrie	McHenry	Serrano
Gutierrez	McIntyre	Sestak
Hall (NY)	McKeon	Shadeeg
Hall (TX)	McMahon	Shea-Porter
Halvorson	McMorris	Sherman
Hare	Rodgers	Shimkus
Harper	McNerney	Shuler
Hastings (FL)	Meek (FL)	Shuster
Hastings (WA)	Meeks (NY)	Simpson
Heinrich	Melancon	Sires
Heller	Mica	Skelton
Hergert	Michaud	Slaughter
Hereth Sandlin	Miller (FL)	Smith (NE)
Higgins	Miller (MI)	Smith (NJ)
Hill	Miller (NC)	Smith (TX)
Himes	Miller, Gary	Smith (WA)
Hinchey	Miller, George	Snyder
Hinojosa	Minnick	Space
Hirono	Mitchell	Speier
Hodes	Mollohan	Spratt
Holden	Moore (KS)	Stark
Holt	Moran (KS)	Stearns
Honda	Moran (VA)	Stupak
Hoyer	Murphy (CT)	Sullivan
Hunter	Murphy (NY)	Sutton
Inglis	Murphy, Patrick	Tanner
Inslee	Murphy, Tim	Teague
Israel	Myrick	Terry
Issa	Nadler (NY)	Thompson (CA)
Jackson (IL)	Napolitano	Thompson (MS)
Jackson Lee	Neal (MA)	Thompson (PA)
(TX)	Neugebauer	Thornberry
Jenkins	Nunes	Tiahrt
Johnson (GA)	Nye	Tiberi
Johnson (IL)	Obey	Tierney
Johnson, E. B.	Olson	Titus
Johnson, Sam	Oliver	Tonko
Jones	Ortiz	Towns
Jordan (OH)	Owens	Tsongas
Kagen	Pallone	Turner
Kanjorski	Pascarell	Upton
Kaptur	Pastor (AZ)	Van Hollen
Kennedy	Paul	Velázquez

Walden	Waxman	Wittman
Walz	Weiner	Wolf
Wasserman	Welch	Wu
Schultz	Westmoreland	Yarmuth
Waters	Whitfield	Young (FL)
Watson	Wilson (OH)	
Watt	Wilson (SC)	

## NAYS—5

Campbell	Hensarling	McClintock
Flake	Linder	

## NOT VOTING—18

Cao	Kirk	Sessions
Cummings	Moore (WI)	Taylor
Engel	Oberstar	Visclosky
Griffith	Peterson	Wamp
Harman	Putnam	Woolsey
Hoekstra	Schwartz	Young (AK)

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1545

Mr. GARRETT of New Jersey changed his vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. SESSIONS. Mr. Speaker, I was inadvertently detained and missed rollcall No. 401, passage of H.R. 5623, the Homebuyers Assistance and Improvement Act of 2010. Had I been present, I would have voted “aye.”

## PERSONAL EXPLANATION

Ms. MOORE of Wisconsin. Mr. Speaker, I was unable to vote today on rollcall 398 through rollcall 401. Had I been present I would have voted “yes” on all four.

### EXPRESSING THE CONDOLENCES OF THE HOUSE OF REPRESENTATIVES ON THE DEATH OF THE HONORABLE ROBERT C. BYRD, A SENATOR FROM THE STATE OF WEST VIRGINIA

Mr. RAHALL. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 1484

*Resolved*, That the House has heard with profound sorrow of the death of the Honorable Robert C. Byrd, a Senator from the State of West Virginia.

*Resolved*, That a committee of such Members of the House as the Speaker may designate, together with such Members of the Senate as may be joined, be appointed to attend the funeral.

*Resolved*, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

*Resolved*, That when the House adjourns today, it adjourn as a further mark of respect to the memory of the deceased Senator.

The SPEAKER pro tempore. The gentleman from West Virginia is recognized for 1 hour.

Mr. RAHALL. Mr. Speaker, I yield the customary 30 minutes to the gentlewoman from West Virginia (Mrs. CAPITO).

## GENERAL LEAVE

Mr. RAHALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on this resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RAHALL. Mr. Speaker, I am honored to yield 1 minute to the gentlewoman from California (Ms. PELOSI), the Speaker of the House.

Ms. PELOSI. I am honored to join you, Chairman RAHALL and Congresswoman CAPITO, in singing the praises of a great man, Senator ROBERT C. BYRD of West Virginia, a man who loved his State, loved this country, and was a such important part of this Congress.

Throughout his remarkable career, he worked for all Americans, and he never stopped fighting for the people of West Virginia. While we are here, we all take pride in bearing witness to history. Senator BYRD shaped it, and in shaping history, he built a better future for all Americans.

His story was the true embodiment of the American dream. An orphan at a young age, Senator BYRD refused to allow his circumstances to limit the reach of his potential or his ability.

□ 1550

A son of West Virginia's coal country, he was the first in his family to be educated above the second grade. He worked as a butcher and a welder and entered office to serve his community and his neighbors. In doing so, he would ultimately make America a better place for every American.

Though many note his mastery of the Senate, I note that ROBERT BYRD's service began in the Congress here in the House of Representatives in 1953. His service in the House is a source of pride to all of us, though Senator BYRD remarked that he was happy to leave behind the limitations on speaking time that apply on the House floor. In fact, I checked the CONGRESSIONAL RECORD myself on that. In the year that Senator BYRD first came to Congress, I found that in one single floor speech he managed to quote the "Book of Ecclesiastes," Shakespeare's "The Merchant of Venice," Daniel Webster, and Rudyard Kipling, all while discussing trade policy. That was a sign of the great oratory that would come over the next 57 years. In that time, Senator BYRD would become Congress's foremost scholar on the institutions of our democracy. He always spoke truth to power. He served as a voice of reason. He was always a gentleman, charming any friend or foe.

Today, the entire Nation mourns the loss of this great champion, leader, and public servant. For more than 57 years, Congress has benefited from his wis-

dom and passion. For generations to come, ROBERT C. BYRD's name will remain etched in history books for his accomplishments and for his courage.

Senator BYRD has gone home to be with his beloved Erma. We hope it is a comfort to the Byrd family that so many join them in grieving their loss at this sad time.

Mr. RAHALL. Mr. Speaker, I yield 1 minute to the distinguished majority leader of the House of Representatives, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the distinguished Member from West Virginia, the chairman of our Natural Resources Committee, NICK JOE RAHALL, of whom ROBERT BYRD was very proud.

I also am pleased to recognize the Speaker pro tempore, ALAN MOLLOHAN, of whom ROBERT BYRD was very proud, and who he considered a partner. I thank Congresswoman CAPITO for allowing me to speak—in fact, out of order—on the passing of the distinguished American who was larger than life in so many respects.

Today, we honor the life of Senator ROBERT BYRD. History will reflect him as the longest-serving Member Congress has ever seen. But, of course, if it were only longevity that we were honoring, it would simply be the hand of fate that allowed that to happen. But what we really honor is that ROBERT C. BYRD used his longevity to such extraordinary benefit of the people he served in the State of West Virginia, the people of this Nation, and the legislative branch of government. I doubt that there have been any peers to ROBERT C. BYRD in standing on the floor of the United States Senate or of the House of Representatives or in any forum in which he was temporarily present, that any more strong advocacy of the equality and separateness of the legislative branch was made clear.

ROBERT C. BYRD was a giant. He was a giant in terms of character. He grew during the course of his lifetime, which is a mark of a great man. All of us are, to some degree, captives of the environment in which we are raised and in which we live. ROBERT C. BYRD is no different. But ROBERT C. BYRD grew. He grew intellectually. He grew culturally. But he did not, in growing, leave his base. He did not forget the values that he learned in West Virginia—the values of courtesy; of kindness; of caring; of helping; of making sure that the people who were not famous, who did not have power, who did not have positions of note were never, never forgotten.

Mr. Speaker, I remember an incident that I'm sure was not unique to me. Early on in my career I went over on an appropriation matter—like you, Mr. Speaker, as a member of the Appropriations Committee. Senator BYRD invited me in. He was then majority leader. He invited me into his office. We sat down. And for the next 45 minutes—which, as a junior Member of the

House, I found extraordinary—he regaled me on the history of the Senate and the books he had written. I was mesmerized in the presence of this giant of the legislative body.

At the end, as I'm sure he did to so many of us, he gave me a rectangular painting of a covered bridge in West Virginia. Mr. OBEY is going to speak at some point in time—and Mr. OBEY has a similar painting hanging in his office. Now it's not the original because BOB BYRD gave it to so many of us. But I looked at that and I thought to myself, What a kind gesture. How impressed I was, this young Member of Congress being accorded this kind of respect from this giant in the United States Senate.

ROBERT C. BYRD will be dearly missed by us all, and he will be missed most of all when very difficult issues confront the legislative body and there is a clamor that the legislature agree with the executive, for whatever reasons; a clamor that all too often emanates from fear of this, that, or the other, and that fear would ignore the constitutional role played by the Congress of the United States. It is then that we will miss Senator BYRD's clarity of intellect, of conscience, of commitment to the Constitution of the United States of America, as well to the rules of the United States Senate. He was a passionate advocate for people, for principle, for the Constitution, and for our country. Senator BYRD, we will miss you. But we will remember fondly your contribution and be ever thankful that we had the opportunity to serve with you.

Some of you remember my dog Charlotte. My dog Charlotte was with me for 15½ years. Some of you will recall for 10 of those years Charlotte came to work with me every day. Charlotte was an English Springer Spaniel. I planted a tree in my yard—it's a dogwood tree—and there's a stone and a bronze plaque for Charlotte. Charlotte was one of the loves of my life. I lived alone with her for 10½ years after Judy passed away.

The first call I got the day after Charlotte passed was from ROBERT C. BYRD saying how sorry he was that I had lost Charlotte. That was an indication of his humanity, of his caring for others.

Yes, he was a great man. But he was a man who understood the pain, the aspirations, and the hopes of all with whom he came in contact.

Thank you, ROBERT C. BYRD, our good and faithful servant.

Mrs. CAPITO. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. LEWIS).

Mr. LEWIS of California. Mr. Speaker, I very much appreciate the gentle lady's yielding.

ROBERT BYRD, a colleague and associate on the Appropriations Committee, this incredible, incredible leader in our committee, has made such a difference over the years. Beyond that, I quickly developed great respect for

his support of the legislative role relative to our constitutional responsibility. And over the decades he has fought administration after administration, Democrat and Republican alike, whose bureaucrats want to take away authority from the legislative branch. His voice was heard consistently reflecting the priorities of this institution. And for that I will never forget him.

□ 1600

As you have just heard from our leader, in recent years, Senator BYRD and I developed a different kind of friendship because of our love for our dogs. Indeed, it was a reflection of this man, the wonderful human side of this man, that has been the experience for me. We will—Arlene, my dog Bruin, and I—miss Senator BYRD.

Mr. RAHALL. Mr. Speaker, it's my honor to yield such time as he may consume to the distinguished chairman of our House Appropriations Committee, the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. I thank the gentleman for the time.

Mr. Speaker, for most of the last 15 years, Senator ROBERT BYRD led the Senate Democrats on the Appropriations Committee. And for roughly that same amount of time, I had the same privilege on the House side, and I got to know him extremely well. I loved ROBERT BYRD. For one thing, he and I shared a love of bluegrass music. I daresay he was the finest fiddler in the history of the Congress, but that's not the real reason that I hold him in such high esteem.

He began as a product of a segregated background, but through sheer intense pursuit of knowledge, understanding, and wisdom, he became a person who is a powerful representative for the cause of equal opportunity for everyone. I can think of no one in the history of the Senate who demonstrated a greater capacity for personal growth than did ROBERT BYRD. He was truly unmatched in his recognition of our obligation to the Constitution and to the institution of the Congress itself.

And the greatest thing about him, in addition to his dedication, was, simply put, he had guts; and he wasn't afraid to demonstrate that on many occasions when the Nation needed to see it demonstrated. He made the point that he never served under any President. He served with many, honorably and with distinction. They really don't make them like him anymore.

Mrs. CAPITO. Mr. Speaker, I yield myself such time as I may consume.

I rise today to thank my colleague from West Virginia's Third Congressional District (Mr. RAHALL) for offering this resolution, honoring the passing of our senior Senator, Senator ROBERT C. BYRD. I want to thank the Speaker, my other colleague from West Virginia, for his dedication and friendship to Senator BYRD through many more years than I have served here in

this Congress. As the three of us know, this is a difficult time for all West Virginians and the United States Senate.

As my colleagues know, Senator BYRD was an institution not only in West Virginia but also in the United States Senate. Coming from very modest beginnings, the young man from rural Raleigh County, West Virginia, rose from the mountains of Appalachia to become a lion in the greatest deliberative body on Earth, the United States Senate. His path to success is truly emblematic of the American Dream.

Few can travel through our great State of West Virginia without recognizing the effect Senator BYRD had on our State. While he is well recognized for the many roads and buildings that are named in his honor, it is the leadership he displayed in bringing our delegation together when it mattered most for West Virginia that is truly a testament to the effect he has had on our State.

During my tenure—which for him was recent, 10 years—he rallied our delegation to save the 130th Air National Guard unit from being cut, and he began working with all of us towards a consensus on mine safety legislation after the tragic Sago mine incident. He was an able leader and led us all as leaders for West Virginia.

Senator BYRD was also a wonderful ambassador for Appalachia. West Virginians are very proud of our heritage and our strong work ethic throughout our lives, and Senator BYRD continued to share Appalachian culture—we just heard from Mr. OBEY on that—with his colleagues in Washington. Whether it was displaying his musical talents on the fiddle or his dedication to both American and world history or the process of the United States Senate or the protection of our Constitution, Senator BYRD was truly a man of many talents.

I will fondly remember, as I was attending a meeting in Charleston, West Virginia, probably 12 years ago—I knew about his fiddling, but I didn't know about his love of music and his vocal ability—when he joined Kathy Mattea in singing a duet of Amazing Grace. It was a great moment for me, but for him, he was celebrating his three loves: his music, his love of education, and his faith in God.

I also remember—and the other members of the delegation will remember this, too—we were in his office, and he served us lunch in his office. And when it came time for dessert, he asked all of us if we wanted dessert. And since we were all watching our waistlines, we sort of waived off dessert and said, No, we really don't need dessert. It's lunch. I think we are going to pass on dessert.

No, no. We must have dessert. We must have apple pie and ice cream.

And then he proudly told us how he had maintained the same weight for the last 57 years in the United States Congress. I think that's a feat to be celebrated, quite frankly.

He also talked a lot about—and we heard this, too—the love of his dogs. I remember when his beloved Billy died. He was crushed, and he wasn't afraid or ashamed or embarrassed to express the love and the compassion that he had and the companionship he felt with his dog. And I think that's a common bond that a lot of people here in the United States, but also in West Virginia, share.

So with Senator BYRD's passing, West Virginia has truly lost a favorite son. The United States Senate has lost an icon. And as any Senator will tell you, Senator BYRD served as a tremendous mentor in passing on Senate procedure to newly elected Senators. In many ways, Senator BYRD was an institution within the institution of the Senate, and the Senate will not be the same without him.

I will miss Senator BYRD's passion and ardent defense of our Nation's Constitution. He was certainly one of a kind, and I feel privileged to have served with him. I will never forget the advice that he gave me when I first sought his counsel when I first went in, in my first year serving in this body. And he said, "Shelley, you need to be a workhorse, not a show horse." Senator BYRD will always be remembered for his hard work as a workhorse and also for his dedication to representing our great State of West Virginia.

I wish to extend to Senator BYRD's family my deepest sympathies and know that he is at peace and at home with his beloved Erma.

So I would again thank Mr. RAHALL for presenting this. Senator BYRD will certainly be missed. And I want to pay tribute to his tremendous service, sacrifice, strength, honesty, and devotion to our State and Nation.

I reserve the balance of my time.

Mr. RAHALL. Mr. Speaker, I am proud to yield 2 minutes to the gentleman from Washington, Mr. NORM DICKS, the distinguished chairman of our Defense Subcommittee on Appropriations and a classmate of mine.

Mr. DICKS. I thank the gentleman for yielding.

I had the great honor of serving in the other body for 8 years as an assistant to Senator Warren G. Magnuson. And during that time, Senator BYRD became the whip in the Senate. I can remember how he was faithfully writing notes every couple of days to Senator Magnuson, "I put this in the RECORD for you." He was absolutely committed to the United States Senate, and he was a forceful advocate.

I have served, as Chairman OBEY has, in many conferences with Senator BYRD. And when there was something that he wanted—and oftentimes to protect the workers of West Virginia on coal mining issues—the Congress responded because he was such a forceful advocate.

And one of the things I respected most about Senator BYRD was his knowledge of the history of the Senate,

the history of the Congress, and his devotion to that history. He would oftentimes talk about historic events and tie them in to current days.

You know, some people may have criticized him on spending issues, but he used to say, and I always used to quote him on this, the Congress can't give up the power of the purse because the power of the purse is in the Constitution; and it's part of the Constitution of the United States, a right that was earned in England when the people of England rose up against kings and demanded that Parliament have the power of deciding how the money was to be spent.

□ 1610

And as has been said by many here, he served with many Presidents, but he was not cowed by the presidency, and he would stand up on the floor of the Senate many times and talk about different wars, different situations we were in, and demand that the Executive appreciate the power of the Congress and respect the power of the Congress. And he served—I think he was elected nine full terms. That's a record that I doubt will ever be matched.

He also went to law school during his time in the Senate. Now, how many people could do that? I mean, it just was remarkable. And I think President Kennedy gave him his degree from American University just a few months before he was, unfortunately, tragically assassinated in Texas.

But ROBERT BYRD is a legendary figure. In my time here in the Congress I had the great fortune of serving on the Appropriations Committee for 34 years. But I served with Senator Magnuson, who became chairman of the Appropriations Committee. Senator BYRD was there throughout that entire time and a lot more.

And I just rise today in respect for him, his legacy, his commitment to the Congress. He had a wonderful family, and I'm sure that they're going to miss him. But they have, I think, the satisfaction of knowing that ROBERT BYRD did a great job, a fantastic job for the State of West Virginia, but also was a great Senator in a national perspective.

And so I just want to say to my colleague and classmate from West Virginia, who I know served on Senator BYRD's staff, and it was a great learning experience that you had in the other body, as I did. And I think it helped to prepare us for work here in the House of Representatives.

So I just would say again that we have lost a great American, a man of tremendous courage and commitment, and someone we respected, and his legacy and memory will live long in the history of the United States of America and in the Congress.

Mrs. CAPITO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. RAHALL. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio

(Ms. KAPTUR), a member of the Appropriations Committee as well.

Ms. KAPTUR. I thank the distinguished dean of the delegation for yielding to me. And with Speaker MOLLOHAN in the Chair this evening, the people of the Buckeye State of Ohio extend our deepest sympathies to the State of West Virginia, to the Byrd family, to all of the staff that served this truly remarkable human being and American, Senator ROBERT BYRD.

There's a great piece of music called "Ode to the Common Man" by Aaron Copeland, and as I'm saying these words this evening, I think of that music and of Senator BYRD's remarkable life. He truly was a wise man of the Legislative branch who belonged to the American people. He gave his life to us. His road had been a hard scrabble one from the very beginning. He's the kind of American that walked a tough road, who when he came here to serve, he never forgot people who came from backgrounds like his.

I had the great joy of serving with him on the Appropriations Committee. And being one of the few women that have ever served on that committee, when I arrived there in the 1990s, I can remember him sitting across from me at a conference committee, kind of looking over his glasses with a glint in his eye at this woman who was a bit younger than he was. He exhibited a great sense of welcome with also some surprise that indeed history in America was changing.

I respected and liked him so very, very much. And I appreciated his kindness to me. He loved history. I hold in my possession an autographed copy from him of "The Roman Republic and the Rule of Law" of the Senate of that era.

I loved speaking with him. I loved being on a program with him a few years ago with Leo Gerard, president of the Steelworkers, and listening to Senator BYRD deliver an impassioned speech about the American worker. He was such an exemplary representative for the working men and women of this country.

His intellect, his humor, his knowledge of the rules and history, his love of this institution and respect for it, and his passion, his passion on every issue that he handled. He had so much to teach all of us.

I happen to be a Democrat. He was a real Democrat. He set the pointer on a compass and that needle to represent all people.

He was a gentleman, he was civil, he was enlightened, he worked so hard. I can remember his telling a story about working on the railroads as a young man. That hard work and that sense of honor he carried with him through his entire service of over a half a century to the people of our country.

I will end with saying, as I think of "Ode to the Common Man," that the enormous courage that he displayed in the last years of his life is a lesson to us all. He continued to serve, despite

illness, despite difficulty, his doggedness, his determination—he truly was an heroic American. I personally shall miss him very, very much.

I thank the people of the State of West Virginia for continuing to send him to this Congress. He made us all better by serving with him. He built a better and more humane America. He was loved by this membership. We wish him Godspeed, and eternal rest grant unto him, O Lord.

I thank the gentleman from West Virginia for allowing me this time tonight to pay tribute to a great and good man and Senator for the ages. In knowing him, we have walked with history, and are grateful.

Mr. RAHALL. Mr. Speaker, it is now my deep honor to yield to a close personal friend and fellow member of our congressional delegation from West Virginia, Mr. ALAN MOLLOHAN. Mr. MOLLOHAN chairs the subcommittee on Appropriations on Commerce, Justice, Science and related agencies. He has served on many conferences with the late Senator BYRD as well. And I know Senator BYRD often said he had two sons, and that would be Alan and myself.

I'm very honored to yield such time as he may consume to ALAN MOLLOHAN.

Mr. MOLLOHAN. I thank my friend and colleague from West Virginia for yielding. And I know we have many tender memories of the Senator.

Mr. Speaker, it was with profound sadness that I learned yesterday of the passing of Senator ROBERT C. BYRD. This country knew Senator BYRD as one of the lions of the Senate, a ferocious advocate for his State and a principled spokesman for his beliefs, whether it was his opposition to the war in Iraq or his commitment to improve safety and working conditions in the coal fields of West Virginia.

This Congress, both sides of the Capitol, knew ROBERT C. BYRD as the chief defender of its constitutional prerogatives, an unequaled master of its parliamentary rules, an expert on its history, and one of the ablest legislative tacticians either Chamber has ever seen.

West Virginia knew Senator ROBERT C. BYRD as her own. It's difficult to adequately describe the bond of profound connection between the man and the State. People from outside the State might assume that this connection was built on the senator's legendary success in delivering Federal funds to West Virginia, and that would be wrong.

West Virginians understand how important that success was, of course. We know that those material contributions are literally incalculable in dollars invested, roads paved, buildings constructed, and jobs created. But the bond between Senator BYRD and West Virginia went far beyond that. It is almost as though his personal story not only inspired West Virginians, as it would most Americans, but that it captured so much of our State's culture

and our State's values. That personal history is known throughout the State.

Senator BYRD was the adopted son of a miner who graduated as class valedictorian. He was the manual worker who earned a law degree while serving in the United States Senate. He was the husband who relied for almost 70 years on his beloved wife, Erma. Those qualities of discipline, of integrity, and commitment forged in the mountains of West Virginia and exercised in the halls of Washington speak more strongly to West Virginians than any material measure of his immense contributions to the State.

□ 1620

I cannot imagine ROBERT C. BYRD representing any State other than West Virginia, and it is difficult to imagine West Virginia without Senator BYRD.

I knew Senator BYRD as a mentor. I was first elected to Congress in 1983. And after 28 years, I like to think of myself as a reasonably seasoned veteran of this body. But then I remind myself, before I took my first oath of office, Senator BYRD had already served more years than I have today. Twenty-eight years ago he was already a master of the legislative branch.

From my very first days in this House, Senator BYRD never withheld his support or his counsel. I can remember many times Senator BYRD calling Congressman RAHALL and myself over to his office just to consult, to ask what was going on in West Virginia, or to take counsel himself on what was going on in the House of Representatives, or just to find out what was going on in our personal lives, how our parents were, how our fathers were, how our mothers were. Those were touching moments.

Senator BYRD, many people have asked me, well, what is Senator BYRD really like? You know, he is such a disciplined person in public. People want to know, well, what is he like in private? And I think there are several insights that we have had glimpses of in previous speakers here this afternoon into what he was like as a man beyond a legislator. I can remember his being very touching and very concerned about his dog Billy, and bringing him to the Congress, or if he were home, worrying about how he was getting along. Very concerned and obviously loving toward a pet.

But most poignant was Senator BYRD's relationship with his wife, Erma. It was long. She was his childhood sweetheart. Senator BYRD used to tell the story about courting Erma with another young man's candy. The young man would come to school, and Senator BYRD and him would catch up, and the young man would give Senator BYRD a piece of candy. And Senator BYRD wouldn't eat that candy; he would save it and give it to his future wife, his sweetheart, Erma. That relationship lasted and grew and was warm and inspiring throughout his life. And

her passing a number of years ago was a very sad time in the life of Senator BYRD, obviously. It was also a very sad time in the State of West Virginia. They were a couple to be beloved by West Virginia.

I remember another touching moment, when my father passed almost 10 years ago. Senator BYRD attended the funeral and continued on after the service for about an hour's drive to where Dad was interred. And Senator BYRD after the service, he pulled me aside and told me what a lovely cemetery this was for Dad's resting place.

Finally, I knew Senator BYRD as a friend. I cannot remember a time when he was not in my life. And I will miss my friend. My wife, Barbara, and I offer our deepest condolences and our best wishes to Senator BYRD's family, to his staff, and to that close, wonderful circle of people who knew him and loved him.

Mr. RAHALL. How much time do I have remaining, Mr. Speaker?

The SPEAKER pro tempore (Mr. DICKS). The gentleman has 14½ minutes remaining.

Mr. RAHALL. I yield myself such time as I may consume.

Mr. Speaker, the gates of heaven opened wide early yesterday morning. West Virginia lost a faithful son, the Senate lost a father's watchful eye, and I lost my mentor and close friend.

I extend my prayers and thoughts to Senator BYRD's daughters, to his grandchildren and great grandchildren, to all his family, and to his staff, especially many of whom have been with him for so long. Sadly but surely, we will not see the likes of ROBERT C. BYRD pass our way again.

He came from humble beginnings. A virtual orphan, he was sent to be reared in the coalfields of our beloved State of West Virginia, enduring the depths of the Great Depression. But he was wealthy beyond belief with richness of values, all instilled in him by his adoptive parents.

A self-taught butcher, a welder, a Sunday school teacher, a student, a self-disciplined scholar with straight A's with 21 credit hours in his first semester of college, a young man still, he wanted to serve. Armed with little more than determination and a fiddle, he successfully entered politics. "Byrd by name, Byrd by nature, let's send Byrd to the legislature." How often he would fiddle that with a tin cup at the end of his fiddle, raising his first campaign funds. I recall, because my late father was the treasurer for those early campaigns of Senator BYRD.

But thus began what would become an unprecedented legislative service. Marshaling sharp focus, unwavering diligence, and old-fashioned hard work, old-fashioned hard work, he rose to remarkable heights of rank and responsibility to service to the Lord, to service to our State and our Nation as well. Yet Senator BYRD always remained true to his own essential nature. He never got above his raisin'.

He could mix with kings and queens and Presidents, and while doing that he never forgot from whence he came, and he always remained deeply proud of his roots. He often remarked he would just as soon be eatin' beans and cornbread and onions and sippin' buttermilk in the hills and hollers of West Virginia as having lavish dinners with kings and queens around the world.

I recall working for him in the Senate Democratic Cloakroom in 1972. During that time, a young man from Delaware by the name of JOE BIDEN was elected to the United States Senate. Within a month or two after Senator-elect JOE BIDEN's ascension to the United States Senate, he lost his first wife in a tragic, tragic car wreck. Senator BYRD turned to me and said, Nick, do you mind if we took a drive up to Wilmington, Delaware, so that we can pay our respects to Senator BIDEN's wife? I said, Sure.

I drove the car. It was a cold, rainy night, late November that 1972. We arrived in Wilmington. We arrived at the funeral home to face a long, long, winding line that was waiting out in the rain to pay their respects. Senator Biden heard we were in that line and sent word out he wanted us to come up and immediately get up front and come inside where it was warm. Senator BYRD said, no, he would not use his office, he would not use his prestige or power to jump in front of anybody already in line in front of him. So we stood in that cold rain, waiting to pay our respects to Senator-elect, at that time, JOE BIDEN's first wife.

The only individual to serve in both houses of the West Virginia Legislature and the U.S. Congress, Senator BYRD also achieved the distinction of holding more elective leadership offices in the United States Senate than anyone in the body's history. His Senate service is the body's longest.

Combined with his tenure in the House, Senator BYRD holds the distinction of serving in Congress longer than anyone else. His achievements and his unrivaled archive of accomplishments were the result of one sole purpose, to serve others. And he never tired of trying to find ways to help a little more, to do a little better.

Striving for the next rung was, for Senator BYRD, a lifelong pursuit. He was forever setting goals. And he challenged himself, his staff, his colleagues, all of us to meet or exceed those goals.

And you know one other remarkable feature about ROBERT C. BYRD. He made political contests, as bitter as they may seem at the time, the foundation for future and lasting friendships. Recall, for example, as I know the gentleman in the chair, Mr. DICKS, can recall very well, Senator BYRD's one-vote victory over the late Senator from Massachusetts, Ted Kennedy, whose son Patrick was just here on the floor.

Perhaps many considered that a bitter contest. But what did Senator BYRD use it for? To establish a lasting and

true friendship with Senator Ted Kennedy from Massachusetts, as we all know who passed shortly before Senator BYRD, and for whom Senator BYRD had nothing but the utmost and kindest words of praise, and truly defined a friendship that perhaps has not been in American politics for some time.

□ 1630

This was a defining quality and a wellspring of immeasurable joy that irrigated ever greater horizons for Senator BYRD. His penchant for setting records and then breaking his own was the inevitable result, but ultimately, we are the ones who reaped the great-est benefit.

In his later years, when anyone questioned age as somehow detrimental to service, Senator BYRD reveled in ticking off the names and ages of the ancients in the Old Testament and their continued service to the Lord: Moses was 120, Senator BYRD would say; Noah lived to be 960; Methuselah at 969 years old; and he would call out, While I am but a spry 85.

At 92, with the longest record of service in Congress well established, Senator BYRD enjoyed public service so much that it is possible he also had the longest, happiest life on record. If only we could have captured the energies produced by his immense job satisfaction. If only we could package them and share them with others.

Senator BYRD was cautious about the use of superlatives. He felt they were tossed around too casually, and although I do not doubt that he is now grimacing a bit at me for saying this, the fact is it is just not possible to speak about Senator BYRD without using superlatives: longest serving, hardest working, most revered, best loved. And the list goes on and on. Yes, he was passionate about people. He was passionate about politics. He was caring. He was all concerned about the lives of all of us in West Virginia.

As we all know, we go through personal trials and tribulations in our family—the loss of a loved one, sibling problems, loss of a job. Senator BYRD, when he was physically able, would so surprisingly show up in West Virginia offering that comforting arm around the shoulder and always telling those afflicted with tragedy to keep the faith in God, to don't let them get you down, keep plugging along. Senator BYRD himself, who never had a bad word to say about anybody despite some of the words that were said about him, was forever the true gentleman.

Many in this body had their own personal remembrances of Senator BYRD. He touched so many of us, encouraged us, taught us, even argued with us. And I can recall the last time perhaps, except for the miners' memorial that he attended this past April in honor of our 29 fallen coal miners, the only time before that he was probably in his home area of Raleigh County, Beckley, West Virginia, was a dinner in which he was

a surprise guest that honored yours truly. And my wife, Melinda, and I fixed up our house, and my wife even set up the "big daddy suite" in our home in West Virginia. That big daddy suite is still there waiting, as it always was, for Senator BYRD to pay a surprise visit.

We are all better for the life of Senator ROBERT BYRD. We owe him generous helpings of gratitude and admiration, and we shall all miss him.

Again, to Senator BYRD's family, we offer our prayers, our never-ending thanks for the fact that they shared Senator BYRD's extraordinary life with a grateful State and a grateful Nation.

Now, our former senior Senator, our late senior Senator is indeed with his beloved wife, Erma, who was always a twinkle in his eye. For 69 years, they were married before her passing some 5 years ago. The Senator is with his beloved Erma, smiling down upon all of us.

We say thank you, Senator BYRD. Thank you for all you've given our great State. Thank you for all you have given our Nation, because we shall miss you.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### CONGRATULATING DR. JOSEPH GRUNENWALD UPON HIS RETIREMENT FROM CLARION UNIVERSITY

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today in warm congratulations for Dr. Joseph Grunenwald upon his retirement from Clarion University in Clarion, Pennsylvania.

Dr. Grunenwald faithfully served Clarion for more than 30 years, earning him such honors as the title of president emeritus from the Pennsylvania State system of higher education. He's one of five in the organization's 27-year history to receive this honor, which is awarded to those who exhibit an exemplary record of service. Under his leadership, Clarion's enrollment reached record levels, and the university saw marked improvement in its academic, community, and business programs.

In addition, Dr. Grunenwald serves on the boards of numerous community organizations, attesting to his sincere dedication to the welfare and advancement of Clarion. He is a true example of community service and steadfast effort and deserves to be praised and honored. I am sure that Dr. Grunenwald

will continue to serve his community and foster positive progress.

Congratulations to Dr. Grunenwald. I wish you success and fulfillment in your years of retirement and look forward to working with Clarion University's 16th president, Dr. Karen Whitney.

#### PAYING TRIBUTE TO THE LIFE OF SENATOR BYRD

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Madam Speaker, I was detained when my colleagues were on the floor of the House paying tribute to Senator BYRD and did not want this time to go without acknowledging my deep sympathy to his family and to my good friend from West Virginia and to acknowledge how special this man was to the institution we call Congress and to the freedom that this Nation stands for.

I cannot account for my personal encounters with Senator BYRD, but I can tell you, as someone who respects and loves this institution, what a man who understood the Constitution and rules that were not for selfish reasons, to keep people from being in power, but really it was to empower people.

He had no qualms in standing up against Presidential authority that was wrong in the Iraq War. He had no qualms in fighting to ensure that resources came to his great State. He loved the institution. He was a holder of knowledge, and what we will lose with his passing is that special sensitivity to the rules and to the responsibility we have to not play politics with this institution. We are here to serve America, and Senator BYRD did serve America.

May God rest his soul and may he rest in peace. Senator BYRD, we will miss you.

□ 1640

#### SEAMAN WILLIAM ORTEGA

(Mr. MARIO DIAZ-BALART of Florida asked and was given permission to address the House for 1 minute.)

Mr. MARIO DIAZ-BALART of Florida. Madam Speaker, I rise today to honor the life of Navy Seaman William Ortega. This fallen American hero gave his life on June 18 after a bomb exploded while he was in a patrol vehicle and while he was conducting combat operations against enemy forces in the Helmand Province in Afghanistan.

Seaman Ortega, 23 years old, was a hospital corpsman to the 3rd Battalion, 1st Marine Regiment, 1st Marine Division, 1st Marine Expeditionary Force at Camp Pendleton. His battalion is nicknamed the "Thundering Third."

His family stated that Seaman Ortega cherished becoming an American citizen. He enjoyed being named "student of the month" at school and winning first place at the local youth fair.