



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 111<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 155

WASHINGTON, TUESDAY, JANUARY 20, 2009

No. 11

## House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. COSTELLO).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
January 20, 2009.

I hereby appoint the Honorable JERRY F. COSTELLO to act as Speaker pro tempore on this day.

NANCY PELOSI,  
Speaker of the House of Representatives.

### PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God and Father of us all, divine Providence has led this Nation in the past and guides all human affairs to this very day. As a Nation, we are in need of wisdom to make right decisions, perseverance to build upon the hopes of Your people, and patience, because the times bear an urgency. So, today, the American people join Congress as we call upon Your holy name and pray in silence for a moment for JOSEPH BIDEN to be Vice President and on behalf of Your servant Barack Obama, our incoming 44th President of the United States of America.

May Your Holy Spirit descend upon him that he may see things as You see things. May he be strengthened in his work and grow in understanding as he proves ever attentive to the people. May he respond to the Nation's deepest needs and lift up all of us to higher standards of equal justice, true goodness and peaceful union. Grant him health and protection, sincere collaboration and renewed faith. Lord, may the people of this Nation and the people around the world stand with him to face any challenge, endure any dif-

ficulty without fear, learn how to accept every success and every failure with grace, and support him with encouragement and prayer, both now and forever. Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Illinois (Mr. HARE) come forward and lead the House in the Pledge of Allegiance.

Mr. HARE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RESIGNATION AS MEMBER OF COMMITTEES ON TRANSPORTATION AND INFRASTRUCTURE AND VETERANS' AFFAIRS

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committees on Transportation and Infrastructure and Veterans' Affairs:

CONGRESS OF THE UNITED STATES,  
Washington, DC, January 16, 2009.

DEAR SPEAKER PELOSI AND REPUBLICAN LEADER BOEHNER: With my recent election to the Committee and Energy and Commerce, I resign, effective immediately, from the Committee on Transportation and Infrastructure and the Committee on Veterans' Affairs. It has been an honor serving with my colleagues on these valued Committees, and I look forward to working for the citizens of Louisiana's First Congressional District on the Committee on Energy and Commerce.

Sincerely,

STEVE SCALISE.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

### RESIGNATION AS MEMBER OF COMMITTEE ON THE BUDGET

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on the Budget:

CONGRESS OF THE UNITED STATES,  
Washington, DC, January 16, 2009.

Speaker NANCY PELOSI,  
United States Capitol,  
Washington, DC.  
Republican Leader JOHN BOEHNER,  
United States Capitol,  
Washington, DC.

DEAR SPEAKER PELOSI AND REPUBLICAN LEADER BOEHNER: With my appointment as ranking member on the Committee on House Administration, I resign, effective immediately, from the Committee on the Budget. It has truly been an honor to serve on this committee for the last four years representing the people of California and our great Nation.

Thank you for your attention to this matter.

Sincerely,

DANIEL E. LUNGREN,  
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces that in order to be seated on the platform, sitting Members of the 111th Congress must have an official pin, which they will be given as they leave the Chamber.

Members are advised there are no extra seats available on the platform. Therefore, only sitting Members will be seated on the platform. Under no circumstances will former Members, former House officers, spouses or children be able to join the procession or be seated on the platform.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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The Sergeant-at-Arms will precede the procession bearing the mace.

Members will be escorted to the west terrace in order of seniority. At this time, Members, the Resident Commissioner and Delegates should congregate in the well by class.

Pursuant to House Resolution 61, upon completion of the ceremony, the House will stand adjourned until noon tomorrow.

Pursuant to House Resolution 23, Members will now proceed to the west front to attend the inaugural ceremonies for the President and Vice President of the United States.

Thereupon, at 10 o'clock and 7 minutes a.m., the Members of the House, preceded by the Sergeant-at-Arms and the Speaker, proceeded to the west front of the Capitol.

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#### ADJOURNMENT

At the conclusion of the inaugural ceremonies (at 12 o'clock and 47 minutes p.m.), the House, without returning to its Chamber, adjourned until tomorrow, Wednesday, January 21, 2009, at noon.

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#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

169. A letter from the Assistant Secretary for Installations and Environment, Depart-

ment of the Navy, transmitting the results of a public-private competition, in accordance with 10 U.S.C. 2462(a); to the Committee on Armed Services.

170. A letter from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — National Institute on Disability and Rehabilitation Research—Disability and Centers Program—Disability Rehabilitation Research Projects (DRRPs) — received January 7, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

171. A letter from the Safety Engineer, Occupational Safety and Health Administration, transmitting the Administration's final rule — Clarification Safety and Health Administration [Docket No. OSHA-2008-0031] (RIN 1218-AC42) received January 7, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

172. A letter from the Director, Regulations Policy and Mgmt. Staff, Department of Health and Human Services, transmitting the Department's final rule — Uniform Compliance Date for Food Labeling Regulations [Docket No.: FDA-2000-N-0011] (formerly Docket No. 2000N-1596) received January 7, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

173. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations. (Huntsville, Alabama) [MB Docket No.: 08-194] received January 7, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

174. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final

rule — In the Matter of Amendment of Section 73.622(i) Final DTV Table of Allotments, Television Broadcast Stations. (Hayes Center, Nebraska) [MB Docket No.: 08-193] received January 7, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

175. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting the Department's intent to sign a Project Arrangement among the Australia, Canada, Denmark, Italy, Norway, the United Kingdom, and the United States, concerning Co-Operative Software and Systems Upgrade Requirements Management: C-130j Blocks 9 & 10, Transmittal No. 20-08, pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958; to the Committee on Foreign Affairs.

176. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to the risk of nuclear proliferation created by the accumulation of weapons-usable fissile material in the territory of the Russian Federation that was declared in Executive Order 13159 of June 21, 2000; to the Committee on Foreign Affairs.

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#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 21: Ms. SCHAKOWSKY.



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PROCEEDINGS AND DEBATES OF THE 111<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 155

WASHINGTON, TUESDAY, JANUARY 20, 2009

No. 11

## Senate

The Senate met at 3 p.m. and was called to order by the Honorable BERNARD SANDERS, a Senator from the State of Vermont.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord, You have been our dwelling place in all generations. Before the mountains were brought forth, or even before the Earth was framed, even from everlasting to everlasting, You are God.

On this historic day we ask Your richest blessings upon President Barack Obama, Vice President JOSEPH BIDEN, and the members of the Cabinet. O God, in these challenging times, help them to trust You with all their hearts and to depend upon Your providence to lead and guide them to Your desired destination.

In a special way today, we ask for Your healing hands to be placed upon Senator TEDDY KENNEDY. O, God, You are a healer and we claim Your promise that, if we will ask in faith, You will respond.

We thank You for what our eyes have seen and what our ears have heard on this great day.

We pray in Your holy Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable BERNARD SANDERS led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a letter to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, January 20, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BERNARD SANDERS, a Senator from the State of Vermont, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mr. SANDERS thereupon assumed the chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate shall proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The Senator from New Mexico is recognized.

Mr. UDALL of New Mexico. Mr. President, I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

### INAUGURAL AND VILSACK NOMINATION

Mr. HARKIN. Mr. President, I take to the floor right now to talk about my good friend, the former Governor of Iowa and our soon to be Secretary of Agriculture, Tom Vilsack.

Before I do, I would be remiss if I did not at this time talk about what it was like to be at the inauguration of the 44th President of the United States. This is my ninth inauguration. My first was Jimmy Carter when I was a freshman Congressman in 1977 and then two Reagans, Bush, two Clintons, two more Bushes. And so this is my ninth.

I can tell you, I have never seen anything such as this. To be out there today, I mean this is once in history that something such as this happens. I was watching a television program yesterday, a news program, and JIM CLYBURN, our colleague on the House side, was talking about the importance of today and what it meant to him.

He went on to talk about not only himself but so many people from where he is from in South Carolina and other places, elsewhere. He said, I remember my grandparents telling me about their parents being slaves and how close the connection was. And to think that today America saw inaugurated as our 44th President an African-American.

Not only does this say a great deal about Barack Obama, but it says a great deal about America and how far we have come. Someone asked me what I thought earlier about his speech. I thought three things: uplifting, sobering, and challenging. I think that is what we want from a President. We want a President who will lift us up, a President who will be honest and square with us but a President who also challenges us.

That is what I thought President Obama did in his speech today. So it was a great day, not only for President Obama and Michelle and their family, for our great friend, JOE BIDEN, now our Vice President, and Jill and his family, a great day for America, a real turning point, I think, in our history.

So we look forward with confidence and with optimism to the future. I wished to take the floor today to say a few words about my friend, Tom

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Vilsack, who I hope the Senate today will concur in his being passed through for being Secretary of Agriculture.

I have known Tom well since the 1980s. He was a lawyer in Mount Pleasant, IA, at that time. We had a terrible catastrophe in agriculture; farmers were going broke, a lot of suicides were being committed in my State and around rural America.

Tom Vilsack was a small-town lawyer. I did not know him from anybody. But he took upon himself the job of defending a lot of these small farmers, helping them to work through their problems, and getting them through these hard times.

That is the first time I ever came in contact with him. I thought he was one of those rare individuals who saw something that was wrong which needed to be done and he would involve himself in it. He did not make any money doing this. There was no money to be made. But he got involved in it, and I can tell you, he helped many small farmers hang onto their farms.

Well, later on, by then a tragedy happened in Mount Pleasant, IA. Tom Vilsack was then on the city council. There was a terrible tragedy in which the mayor had been murdered, and they asked Tom to take over as mayor—again, another catastrophe in that small community. So Tom Vilsack then took over as mayor of Mount Pleasant, pulled the city together, kept it going, and lifted it up.

Shortly after that then, he ran to be a State Senator and was elected as a State Senator. He served very admirably there. He then later ran to be Governor and served for two terms as the Governor of our State of Iowa. He had a great two terms—8 years, 4 years each—as our Governor. Again, he showed he could bring people together. That is why I think he is going to be good with our former colleague, now President Obama.

For the entire 8 years Tom Vilsack was Governor, he had a Republican legislature, but he worked with them. They worked together. We got some good things done in the State of Iowa, both with a Republican legislature and a Democratic Governor. I think that showed his method. That, plus what he had done earlier, I think showed the true mark of this individual.

So I could not have been happier when I found that President Obama had picked him to be Secretary of Agriculture. Tom Vilsack knows production agriculture. He knows what is happening out on the farms. He also is one of the strongest proponents of the conservation of natural resources and clean water and clean air. Suffice to say, I think all my friends at Pheasants Forever and Ducks Unlimited and all the people I go hunting with every year love Tom Vilsack because of all he has done to encourage wildlife habitats and the conservation of our natural resources—something, again, I feel very strongly about.

Then, again, in his hearing before our Agriculture Committee, he talked

about nutrition and the role nutrition plays in health care reform and how we have to think about prevention and wellness. That starts with our kids. And what starts with our kids? School lunches and school breakfasts and the foods they eat in school, the women, infants, and children's supplemental feeding program, what kind of food are they getting?

Now, before the Agriculture Committee this year, Senator CHAMBLISS and I will be working together on our committee to reauthorize the Child Nutrition Act. That is the school lunch, school breakfast, and the WIC program, the women, infants, and children's supplemental feeding program. We have to do better for our kids. We have to get better food, locally grown foods, healthier foods, fruits and vegetables, and things such as that for our kids to eat. He talked about this in his hearing before our committee.

So I do not wish to take any more time of the Senate. I see our distinguished leader is in the Chamber. But I wished to thank President Obama for asking Governor Vilsack to be Secretary of Agriculture. I have asked Senator CHAMBLISS. We know of no objections—not one objection on our committee—to his nomination.

So I hope the Senate will, this afternoon, by unanimous consent, clear him so tomorrow he can be at the door. He said: As soon as I am confirmed, the first thing I want to do is go to the Department of Agriculture and stand outside at 7 o'clock in the morning to greet all the people coming in because I want them to know I care about them, that I honor their work and look forward to being Secretary of the Department. The one Department I always say, of all the Secretaries we have—the Secretaries of State and Treasury get all this publicity, and they travel around the world and all that and get a lot of publicity—the Secretary of Agriculture hardly gets any publicity. But no Department—no Department—touches every American every day as closely and as intimately as the Department of Agriculture: the food you eat, the clothes you wear, the food safety programs. Things happen to our kids in school, what they eat—all this is in the Department of Agriculture.

So I hope the Senate will, by unanimous consent, follow the lead of the Agriculture Committee in unanimously approving Tom Vilsack to be our next Secretary of Agriculture.

Mr. President, I ask unanimous consent that a letter, dated January 20, 2009, be printed in the RECORD.

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

U.S. SENATE, COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY,

Washington, DC, January 20, 2009.

Re Nomination of Thomas J. Vilsack to be Secretary of Agriculture

Hon. HARRY REID,  
Majority Leader.

Hon. MITCH MCCONNELL,  
Republican Leader.

DEAR LEADERS: On December 17, 2008, President-elect Obama announced his intention to nominate Thomas J. Vilsack, of Iowa, to be Secretary of Agriculture.

The Committee on Agriculture, Nutrition, and Forestry forwarded the Committee's nomination questionnaire to Secretary-designate Vilsack. The Committee requires each nominee to complete a questionnaire relating to the nominee's qualifications and potential conflicts of interest. Governor Vilsack's responses to the questionnaire provided basic biographical and financial information.

As part of the confirmation process, the Committee received the nominee's Public Financial Disclosure Report and a copy of Governor Vilsack's letter to Mr. Raymond J. Sheehan, Designated Agency Ethics Official, U.S. Department of Agriculture. This letter details the steps that Governor Vilsack will take to avoid potential conflicts or the appearance of a conflict of interest.

In anticipation of the nomination, the Committee conducted a hearing on January 14, 2009, in public session, to carefully review the credentials and qualifications of Secretary-designate Vilsack. Governor Vilsack was the only witness at this hearing.

After the hearing and after Committee Members had the opportunity to review responses to written questions submitted for the record, the Committee polled all Members of the Committee to ascertain their positions regarding this nominee. We are pleased to report that the Committee on Agriculture, Nutrition, and Forestry unanimously supports the nomination of Thomas J. Vilsack for the position of Secretary of Agriculture.

TOM HARKIN,  
Chairman.

SAXBY CHAMBLISS,  
Ranking Member.

Mr. President, I yield the floor.

#### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

#### SCHEDULE

Mr. REID. Mr. President, following leader remarks, there will be a period of morning business, with Senators allowed to speak for up to 10 minutes each. There will be no rollcall votes today.

#### SENATOR TED KENNEDY

Mr. REID. Mr. President, we have just left the memorable inauguration of Barack Obama. But as President Obama said a few minutes ago, our minds are not on the events of today but for the fact that Senator KENNEDY took ill during the lunch. Senator KENNEDY is now in a Washington hospital.

He and I sat together at the inauguration. We had such a wonderful time visiting about where we were and where we are.

So I would ask all, within the sound of my voice, to pause for a brief moment with our thoughts and, for those who feel it appropriate, our prayers for Senator KENNEDY and his lovely wife Vicki.

(Moment of silence.)

#### INAUGURAL ADDRESS OF PRESIDENT BARACK OBAMA

Mr. REID. Mr. President, it is very cold in Washington today, but our Nation's heart is warm. From every corner of our country and the furthest crevices of the Earth, people came together at the apex of our democracy to be a part of an American renewal.

President Barack Obama's inaugural address appealed to our better angels, as Abraham Lincoln called them, and our best intentions. President Obama reminded us no matter how daunting our challenges may seem, America always answers the call of history.

The millions who came together, lining our National Mall for miles and miles, were not merely observers to this memorable day; they were participants, ready to work with our new President in service to a common cause.

Our great country is ready to join our new President to answer that call to service. That is why we are in session now, a few short hours after the swearing in. Faced with some of the great challenges of our lifetimes and challenges in the history of our country, there is no time to waste.

In the coming days, weeks, and months, we will work with President Obama and our Republican colleagues to revive our economy, protect homeowners and consumers, bring our country closer to energy independence, strengthen our national security, and improve access to health care and education for all Americans.

These challenges require a President with a full arsenal of tools and experts. President Obama has nominated a Cabinet of exceptionally bright and capable people, as indicated by support from all over America—Democrats and Republicans and Independents talking about these great Cabinet nominees. These Cabinet nominees represent a cross-section of our country, geographically and politically.

So it is up to us, Democrats and Republicans in the Senate, to confirm these worthy nominees quickly so they, along with our new President, can hit the ground running.

I express my appreciation to my distinguished counterpart, Senator MCCONNELL, for working with us today to move on to some of these nominations. For those who are not going to be approved today, we are going to work to approve them shortly.

Mr. President, I ask unanimous consent that a document entitled "Em-

ployment Guidelines for Potential Presidential Appointees in Subcabinet Positions" be printed in the RECORD.

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

#### EMPLOYMENT GUIDELINES FOR POTENTIAL PRESIDENTIAL APPOINTEES IN SUBCABINET POSITIONS

An individual may be employed as an advisor or counselor to the Secretary prior to announcement, nomination and confirmation but after being selected as a potential nominee.

The advisor/counselor must:

Act in a manner consistent with that of an advisor preparing for additional duties and responsibilities and not presume any authority that could come only as a result of Senate confirmation. For example, do not use the office space, dining facilities, etc. that are available only to a confirmed appointee in that position.

Comply with all applicable ethics rules.

The advisor/counselor may:

Consult within the Department on current policy topics, receive briefings, and become familiar with relevant issues.

Offer informed advisory views on policy issues, but on a strictly informal basis.

The advisor/counselor must not:

Serve as an official Department representative in meetings or on travel.

Have access to classified materials until a security clearance is issued.

Sign any documents that give the appearance of having assumed official duties or take any actions that give the appearance of issuing authoritative guidance. Must not originate an action, receive routing of official actions of the Department or approve/disapprove any actions of the Department. However, the advisor may receive informational copies of action proposals and other official memoranda.

Undertake to hire, transfer, or terminate members of a potential future organization or otherwise reorganize its management. It is permissible, however, to meet and interview applicants and to informally advise confirmed appointees on personnel and organizational issues.

Use the term "designate" prior to nomination by The President of the United States.

Meet with anyone outside the Department unless accompanied by a "reasonable official" of the Department who can speak for the Department. The limited role as a consultant to the Department, and not an official of the Department, should be made clear.

Attend a meeting with a contractor.

Meet with foreign officials or interest groups to any great extent.

Represent or speak for a component of the Department, or a prospective component, in a meeting within the Department.

Meet or speak with the press, other than in connection with the confirmation process and then only after consultation with Public Affairs.

Give speeches or many any appearances outside the Department on any issue relating to the business of the Department.

#### EXECUTIVE SESSION

##### NOMINATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider nominations received today: Steven Chu to be Secretary of Energy; Arne Duncan to be Secretary of Education; Janet

Napolitano to be Secretary of Homeland Security; Peter Orszag to be Director of OMB; KENNETH SALAZAR to be Secretary of Interior; Eric Shinseki to be Secretary of Veterans Affairs; Thomas Vilsack to be Secretary of Agriculture. I ask consent that the Senate proceed to their consideration en bloc; that the nominations be confirmed, and the motions to reconsider be laid upon the table en bloc; that no further motions be in order, and that any statements relating to the nominations be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

##### DEPARTMENT OF AGRICULTURE

Thomas J. Vilsack, of Iowa, to be Secretary of Agriculture.

##### DEPARTMENT OF EDUCATION

Arne Duncan, of Illinois, to be Secretary of Education.

##### DEPARTMENT OF ENERGY

Steven Chu, of California, to be Secretary of Energy.

##### DEPARTMENT OF HOMELAND SECURITY

Janet Ann Napolitano, of Arizona, to be Secretary of Homeland Security.

##### DEPARTMENT OF THE INTERIOR

Kenneth Lee Salazar, of Colorado, to be Secretary of the Interior.

##### DEPARTMENT OF VETERANS AFFAIRS

Eric K. Shinseki, of Hawaii, to be Secretary of Veterans Affairs.

##### EXECUTIVE OFFICE OF THE PRESIDENT

Peter R. Orszag, of Massachusetts, to be Director of the Office of Management and Budget.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

##### NOMINATION OF ARNE DUNCAN

● Mr. KENNEDY. Mr. President, I am pleased to voice enthusiastic support for the nomination of Arne Duncan to serve as Secretary of Education, and I urge my colleagues to join me in supporting his nomination. Mr. Duncan brings inspiration, dedication, and ability to the field of education, and I am confident that his leadership will help move America forward to tackle the challenges present in our educational system.

Last week, Mr. Duncan appeared before our Education Committee for his confirmation hearing. He was met with broad bipartisan support from members across our committee for his vision and his commitment to move American education forward at all levels—from early education through college.

Mr. Duncan shared with us his very personal connection to the field of education, which first developed with his work alongside his mother in an after-school tutoring program for needy students. Since then, he has worked to confront challenges and advance reforms as head of Chicago's schools. We

are all aware of the demands on superintendents of large city school systems, which is why the average tenure of an urban school chief is less than 3 years. In Chicago, Arne Duncan has given 7. In each of those years, he focused with relentless determination on closing achievement gaps, improving teacher quality, reducing dropout rates, and better engaging communities in schools.

Throughout his career, Arne Duncan has brought an impressive, can-do pragmatism to the complex challenges present in our education system. He is a leader who will bring people together, put children first, support teachers and focus on results. Each of those traits will serve all of us well as he takes the helm of the U.S. Department of Education.

Today's nomination should also remind us all of the importance of education to America's future.

Education is the key to opportunity and a strong economy, and America's schools and teachers are the catalysts for change. The ability of each of our young people to compete and succeed in this new, global economy depends on our ability to ensure that they receive a high-quality education.

Education is also key to our national security. Skills and knowledge are the pathway to protecting America and maintaining our progress in the world.

Most of all, education is key to maintaining America's greatest ideals and values, and to ensuring the vitality of our democracy.

My friend and colleague, the late Claiborne Pell, used to say that the real strength and security of our nation lies in the education and character of our people. Our Founding Fathers agreed, and so did many school reformers after them, from John Dewey to Horace Mann. As Americans, we have an obligation to provide everyone—regardless of their background, economic means, disability, or language skills—with the best possible education that enables them to develop their talents and participate fully and actively in their communities and in their country.

In order to achieve this goal, we need a new, major effort to confront and address the persistent challenges that are present in our educational system. This effort must span from the early years through high school, into college and beyond, and it must focus on building outstanding schools and institutions that deliver opportunity for every American to learn and succeed. Today's inauguration of our President-Elect marks our chance to write a new and better chapter in American education—one that will harness innovation, cultivate solutions, and invest wisely toward reaching our goals.

Our work must begin in the early years, by recognizing that what we do for our children in their first years has a profound impact on their later learning and success. The healthy development of children depends on the rela-

tionships they build with those around them—in any early learning setting.

Today, 38 States support prekindergarten programs for children, and invest more than \$3.7 billion in such programs. More than a million children attend State-funded preschool, comprising 22 percent of all 4-year-olds in the Nation. Nearly 1 million more low-income children are served by the Federal Head Start and Early Head Start programs. And 12 million children under the age of 5 are in some form of child care every week—1.7 million of which receive Federal assistance to attend such programs.

We must focus each of our early learning investments—at the Federal, State, and local level—on a shared goal of school readiness and quality, regardless of the child care center, preschool classroom, or early learning program in which a child participates. In the early years, quality is the key. We need a new effort to build an early education system that provides opportunities for every child to arrive at school ready with the skills necessary to succeed in kindergarten, and with a strong foundation from which to build and grow in their later academic experiences.

In elementary and secondary education, we must strengthen and modernize our public schools, and move quickly to address the inequities in our system that enable persistent achievement and opportunity gaps. No Child Left Behind started us down the road of accountability and high expectations for all students. But we need a new, national strategy to implement the changes needed to better achieve the law's goals.

Any effort at improving public education must begin by supporting and strengthening America's teachers, who reside on the front line of school reform. We need new avenues to attract talented individuals into the teaching profession, and better supports to ensure that they remain in the classroom. We need new ways to encourage our best teachers to serve in the neediest schools, new mechanisms for recognizing and rewarding teacher successes, greater chances for teachers to develop and share their practice, and better opportunities for teachers to become leaders and decisionmakers in their own schools.

We cannot afford for America's students to be outcompeted and outpaced in this 21st century economy. We must support new efforts to increase the rigor and relevance of the school curriculum, more efficient and effective methods of testing and using school data, greater supports for disabled students and English learners, and a better-organized school schedule that maximizes learning time and provides new connections for students to develop knowledge and skills in their communities.

Unlocking the doors of higher education is more important today than ever before, and the dream of a college education should be available to any

student with the talent, desire, and commitment to pursue it. Yet many of America's students still lack the help and assistance they need to prepare for college. A dollar sign still bars the doors of college opportunity for too many. For others, the path to college is blocked by heavy student loan debt and unmet financial need.

In the 110th Congress, we responded to these challenges by enacting the College Cost Reduction and Access Act and the Higher Education Opportunity Act. We committed to provide an unprecedented lifeline of need-based grant aid to students, to upgrade essential programs that prepare students for college, to reforming our student loan programs, and to simplifying the application process for college aid.

Yet far more remains to be done to address college access and affordability, and to bring the promise of a college degree to many more students. We must make greater strides in expanding the Pell grant for America's neediest students. We need new efforts to ensure that our Federal student aid programs protect students and taxpayers from risk, new mechanisms to contain and reduce soaring college costs, and new efforts to bolster the educational pipeline by strengthening community colleges and investing in college persistence and completion.

In each of these areas—early childhood education, elementary and secondary education, and higher education—there are great challenges to be met. We must forge ahead with an urgency to confront each of them head on, and improve educational opportunities for all Americans.

Today is a great day that reminds us of all that's possible in the days ahead. Our work to help others achieve the American dream begins by improving education across our country. We should each dedicate ourselves to that goal, with a renewed spirit of innovation and a resolve for change. And I believe that Arne Duncan is just the person to lead us forward as our next Secretary of Education.●

Mr. ENZI. Mr. President, I support the pending nomination of Mr. Arne Duncan to be Secretary of Education. I had the opportunity to meet with Mr. Duncan earlier this month, although I have been aware of his work in Chicago for a number of years. What struck me the most is his focus on doing what is best for the children and his belief that every child can succeed regardless of their background.

During his confirmation hearing in the Health, Education, Labor and Pensions—HELP—Committee, Mr. Duncan was asked about what he had accomplished in Chicago as the CEO of the Chicago Public Schools. His support for charter schools, public school choice, performance pay for teachers and school leaders was highlighted at the hearing. He described how he had closed low-performing schools in Chicago because they were not providing children the education they needed. He

also spoke of the important role teachers have and how we need not only to attract but retain quality teachers. He believes that children have one chance to get a good education, and as adults we need to make sure they have that opportunity to learn and achieve.

Historically, education has been a bipartisan issue. The HELP Committee has an excellent track record for getting bills passed and signed into law as a result of a strong bipartisan process. Mr. Duncan did not hesitate to commit to establishing and maintaining a cooperative working relationship with all Senators on the HELP Committee, Democrat or Republican, by promptly responding to any written or phone inquiries, sharing information as soon as it becomes available, and directing his staff to do the same. He also agreed that regulations promulgated under his direction should be based on legislative authority. Despite the recognition that it is easier to start something than to end it, he also pledged to target resources on programs that work and to eliminate those programs that don't. The members of the committee were impressed with his answers to our questions, and it was evident from our comments that he enjoys strong bipartisan support. I am hopeful that support will show itself by our vote today.

Mr. Duncan is no stranger to the challenges that he will face as Secretary of Education. He understands the important issues that will affect every child and every schoolroom throughout the United States. His track record with a major urban school district is well known. However, I did caution Mr. Duncan that I will remind him regularly and often of the unique challenges that rural and frontier schools and students face. Congress and the Department of Education need to work together to make sure that every school has the tools and the flexibility needed to help students develop the knowledge and skills required to be successful in the 21st century.

We cannot afford to have students leaving high school—and college—without completing their programs of study. Mr. Duncan and I agree that we have to build upon the successes of No Child Left Behind, coordinate efforts across programs including Head Start, career and technical education and workforce programs under the Workforce Investment Act, and reduce the barriers nontraditional students face to obtaining education that will provide the knowledge and skills they need to be successful in the 21st century. Our country's future depends on our ability to reach this goal.

It is no secret—good skills lead to good jobs. Maintaining those skills through a lifetime of learning will lead to a good career. Mr. Duncan understands this and the fact that the workplace isn't what it used to be. In this global, technology-driven economy, school is never out. Today's workplace demands an ever-changing workforce that can adapt to the requirements and

skills of the new high-tech jobs that are in such high demand. Keeping workers' abilities current will be vital if they are to continue to find the kind of good jobs they will need to support their families and maintain a consistently high standard of living. I was pleased to see that Mr. Duncan supports the role community colleges can play in providing this education and training and understands the need to support and accommodate the growing population of nontraditional students in our postsecondary education institutions.

I am pleased to be able to join the distinguished chairman of the committee, Senator KENNEDY, in supporting the confirmation of Mr. Duncan to be the next Secretary of Education. Today, this body has the opportunity to confirm an excellent nominee with the skills, experience, and commitment to help students of all backgrounds throughout their lives achieve their own version of the American dream. By confirming Arne Duncan as the next Secretary of Education I am confident that we will have an effective advocate for education and who will work to meet the lifelong education needs of our children and students of all ages.

I intend to vote in favor of Mr. Duncan's nomination to head the Department of Education, and I urge my colleagues to do the same.

#### NOMINATION OF PETER R. ORSZAG

Ms. COLLINS. Mr. President, I wish to support the nomination of Dr. Peter R. Orszag to be the Director of the Office of Management and Budget.

As our Nation wrestles with the economic crisis, the next Director of the Office of Management and Budget, OMB, must be prepared to tackle serious fiscal and budgetary crises. The Federal budget is under stress from the impact of a deep recession and the costs of rescue and stimulus packages. Spiraling, out-of-control health-care costs are driving long-term budgetary imbalances. And the next few years will also see cresting waves of baby boom retirements, with enormous impacts on Social Security and Medicare expenditures, as well as the Federal workforce.

Pointing to these trends and to the estimated \$1.2 trillion deficit for the current fiscal year, President Obama has prudently warned that unless strong measures are taken, the outlook is for "red ink as far as the eye can see." That is, of course, an unacceptable and unsustainable scenario for the Government, for the economy, and for the households and business owners who pay the Government's bills.

OMB is the leading player for the incoming administration as it formulates policy to deal with a grim present and uncertain future. OMB also serves as a critical link between Congress and the executive branch as we work toward a consensus on a sustainable path forward.

Dr. Orszag brings an impressive set of skills and experiences—and apparently

boundless energy—to OMB. As a former Director of the nonpartisan Congressional Budget Office, he is familiar with the legislative branch and the intricacies of budgets and policy analysis. Earlier service as an economics adviser in the Clinton administration, as a scholar at the Brookings Institution, and as a consultant will also provide important perspectives.

Dr. Orszag will need to draw on every ounce of his knowledge and experience as he takes the reins of OMB.

Dr. Orszag has already indicated that the economy and stimulus measures portend a near-term rise in the deficit. But as he knows, recent years' outlays and the growth of unfunded entitlements are unsustainable.

We desperately need a realistic plan to avoid having the Federal budget become a mammoth drag on opportunities for job growth and higher personal income—and for people's ability to decide what to do with their own money. The public also expects aggressive oversight and careful stewardship of the Troubled Asset Relief Program and of any future economic-recovery package.

Dr. Orszag will also need to focus intensely on the management challenges confronting the Federal Government. OMB must provide sustained leadership to build upon contracting reforms Senator LIEBERMAN and I championed in the last Congress. Improving transparency and accountability in Government operations and enhancing agency performance will also be Dr. Orszag's responsibility.

These and other pressing challenges will confront Dr. Orszag as Director of Office of Management and Budget. I look forward to working with him as we confront the financial problems our Nation faces.

#### NOMINATION OF JANET NAPOLITANO

Mr. President, I also support the nomination of Arizona Governor Janet Napolitano to be the Secretary of the Department of Homeland Security.

As the Department nears its sixth anniversary, those of us who participated in its creation can take some measure of satisfaction in its progress. The men and women of the Department have helped detect and prevent terrorist attacks.

Our Nation's ability to prepare for and respond to disasters—whether natural or manmade—has also improved dramatically with the changes this committee made in the structure and operations of FEMA. Nonetheless, constantly evolving terrorist threats and the forces of nature demand further improvements at the Department and strong and skilled leadership.

I believe Governor Napolitano will provide that leadership.

I have had the opportunity to closely examine the record of Governor Napolitano and talk with her about a wide range of issues, including security at our borders and seaports, cooperation with State and local law enforcement, and the myriad tests that DHS must confront in the coming years.

The Governor's law enforcement background and knowledge of homeland security issues are impressive.

Her experience as a border-State Governor enables her to bring an important perspective to the Department. Arizona, like my home State of Maine, is a border State with extensive cross-border and tourism. Residents of border communities work, shop, worship, and visit friends and family on both sides of the boundary, complicating the challenge of border security.

Governor Napolitano understands that we have to let our friends in, while keeping our enemies out—enforcing border regulations in a practical manner that accommodates legitimate trade and travel.

One emerging challenge the new Secretary will face is the need to enhance security at the Nation's biological laboratories. The recent report of the Commission on Weapons of Mass Destruction predicted a terrorist attack with a biological weapon within the next 5 years. The Commission pointed to lax security at biological labs as one of the bases for that chilling assessment.

Another threat that the Department must address is the security of our Nation's cyber-infrastructure. The Department must fully understand the cyber threat and establish and enforce best practices across the executive branch, as well as redouble its efforts to work with the private sector on cyber-security.

We must also continue to focus on the security and resiliency of our Nation's critical infrastructure. With more than 85 percent of those assets in private hands, this is a daunting task. Seaports and chemical facilities have been made more secure through legislation that I coauthored. In addition to extending these two important programs, the Department must develop a strategy to promote the best practices developed through the National Infrastructure Protection Plan.

In the last 6 years, DHS has helped improve our all-hazards preparedness and response capabilities. Homeland security grant funding for our State and local first responders has certainly played a key role in that effort. Funding levels in the last few years, however, have been under attack from the executive branch, and DHS has not yet fully complied with the requirement to establish an all-hazards risk formula. The Department must also improve information sharing and cooperation with our State and local partners.

The Federal Emergency Management Agency forms the core of the Department's ability to perform its preparedness, response, and recovery missions. After Hurricane Katrina, Senator LIEBERMAN and I authored vital reforms of FEMA. Subsequent disasters like wildfires, tornadoes, and severe storms and floods have demonstrated FEMA's new and improved capabilities, bolstered by increased coordination with State and local governments and military resources.

FEMA's documented improvements and the logical combination of all-hazards prevention, preparedness, response, and recovery in a single department underscore the need to keep FEMA within DHS. Detaching FEMA in the vain hope of recapturing mythical halcyon days would weaken its effectiveness, reduce the ability of DHS to carry out its all-hazards planning mandate, cause needless duplication of effort, and foment confusion among State and local first responders during a disaster. That is why our Nation's leading first responder organizations, like the International Association of Fire Fighters, the International Association of Fire Chiefs, the Congressional Fires Services Institute, the International Association of the Chiefs of Police, and the National Troopers Coalition, all strongly support keeping FEMA as part of DHS.

As a relatively new Department, DHS still suffers from significant integration and management challenges. The effective operation of the Department's 22 legacy agencies requires a strong Departmental culture, close collaboration between the Department's components, and effective cooperation with other Federal, State, local, tribal and private-sector partners. From the Department's program management and resource allocations, to the basic need for a consolidated headquarters, the next Secretary must focus intently on removing obstacles to effective integration and improved performance.

To continue its growth, the Department must have a skilled executive to lead its dedicated workforce. I believe Governor Janet Napolitano has the ability to meet these and other challenges facing the Department of Homeland Security in the years to come. I look forward to working with her and urge support for her nomination.

#### NOMINATION OF ERIC SHINSEKI

Ms. MIKULSKI. Mr. President, I rise to discuss the nomination of GEN Eric Shinseki for Secretary of Veterans Affairs.

I have three criteria that I use to evaluate all executive branch nominees: competence, integrity, and commitment to the core mission of the Department. Based on these criteria, I wholeheartedly support General Shinseki to be our next Secretary of Veterans Affairs.

In his 38-year Army career, which culminated at Chief of Staff of the Army, General Shinseki was always first and foremost an advocate for the soldiers—he was a soldier's general. As a veteran of combat in Vietnam, during which he suffered life threatening and life altering injuries, General Shinseki understands firsthand the obstacles our returning troops face. He knows what it is like to be made whole again in the military health care system. I know General Shinseki will focus on transforming the Department of Veterans Affairs into an agency for the 21st century with the same fortitude and tenacity he has shown throughout his military career.

This is a critical time for the Department of Veterans Affairs. Historically high percentages of wounded soldiers are surviving their wounds. For this we should be thankful. However, many of them are grievously disabled with debilitating, visible wounds of war, or with equally debilitating wounds that do not bleed—like post-traumatic stress disorder and traumatic brain injury. Our veterans' health systems must be updated and adapted to care for this new generation. Our country has made a 50-year commitment to our wounded warriors to care for them. We must streamline the red-tape that prevents wounded warriors from receiving the care they need. We must shorten the months of waiting for the benefits claims process to unfold. We must better integrate the DOD and VA health care systems to create a single system with uniform rating processes and standards. We owe our veterans nothing less. General Shinseki is the right choice to lead the VA to a higher state of readiness to care for this new generation of veterans.

The Department of Veterans Affairs challenges don't end with our immediate obligations to our wounded veterans, but must persist in addressing our long-term promises to our veterans. This means maintaining affordable health care for our retired servicemembers. Making it responsive. Providing the best care. Ensuring our promises made are promises kept.

The Department of Veterans Affairs challenges also include aiding members with the transition into civilian life. I am proud of the recent steps we have taken in Congress to help veterans. Last year we passed the post-9/11 Veterans Educational Assistance Act to make badly needed updates to the G.I. bill. This legislation will provide educational benefits to help a new generation of veterans and servicemembers so they can better themselves through education, better their ability to serve our Nation as soldiers and citizens, and better provide for themselves and their families. I am also proud of the wounded warrior legislative provisions Congress passed in 2007. These provisions mandated a modernization of the military health care system's approach to post-traumatic stress disorder and traumatic brain injury care. I will look to General Shinseki not just to ensure the implementation of these groundbreaking legislative accomplishments is a priority, but also to identify meaningful and comprehensive steps to build on this foundation to ensure that our veterans health care system delivers the world class care our veterans have earned.

I look forward to working with GEN Eric Shinseki as the Secretary of Veterans Affairs and have full confidence in his honesty, his integrity, and his ability to stand up for our veterans. The next Secretary of Veterans Affairs will face many challenges. I look forward to meeting those challenges with him as he leads the Veterans Affairs Department in this time of change.



Mr. REED. Mr. President, with respect to the nominations confirmed today, I ask unanimous consent that the President be immediately notified of the Senate's action and that the Senate return to legislative session.

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

### LEGISLATIVE SESSION

The ACTING PRESIDENT pro tempore. The Senate will now return to legislative session.

### INAUGURAL CEREMONY

Mr. REID. Mr. President, I ask unanimous consent that the Inaugural Ceremony proceedings be printed in the RECORD.

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

#### INAUGURAL CEREMONY

Inauguration of Barack Hussein Obama, January 20, 2009, 11:30 a.m.

The Joint Chiefs of Staff assembled on the President's platform.

The Diplomatic Corps assembled on the President's platform.

The Governors of the United States and its territories and the Mayor of the District of Columbia assembled on the President's platform.

Members of the 111th House of Representatives of the United States, led by majority whip James E. Clyburn and Republican whip Eric Cantor, assembled on the President's platform.

Members of the Senate of the United States assembled on the President's platform.

Former Speakers of the House of Representatives, Thomas Foley and Newt Gingrich, accompanied by Mrs. Foley and Mrs. Gingrich, assembled on the President's platform.

Former Vice Presidents Walter Mondale, Dan Quayle, and Al Gore, accompanied by Mrs. Mondale, Mrs. Quayle, and Mrs. Gore, assembled on the President's platform.

Mr. William M. Daley, Ms. Penny Pritzker, Mr. John W. Rogers, Jr., Mr. Patrick G. Ryan, and Ms. Julianna Smoot, cochairs of the 56th Presidential Inaugural Committee; and Mr. Emmett S. Beliveau, executive director of the 56th Presidential Inaugural Committee, assembled on the President's platform.

The President-elect's Cabinet and agency designees assembled on the President's platform.

The Chief Justice of the United States, the Honorable John G. Roberts, Jr., and the Associate Justices of the Supreme Court of the United States assembled on the President's platform.

The 39th President of the United States, Jimmy Carter, and Mrs. Rosalynn Carter assembled on the President's platform.

The 41st President of the United States, George H.W. Bush, and Mrs. Barbara Bush assembled on the President's platform.

The 42nd President of the United States, William Jefferson Clinton, and Senator Hillary Rodham Clinton assembled on the President's platform.

The children of the Vice President-elect, CPT Beau Biden, Hunter Biden, and Ashley Biden, accompanied by House Chief Administrative Officer Dan Beard, assembled on the President's platform.

Mrs. Marian Robinson and the daughters of the President-elect, Malia and Sasha Obama, accompanied by Assistant Secretary of the Senate Sheila Dwyer, assembled on the President's platform.

The First Lady, Mrs. Laura Bush, and the wife of the Vice President, Mrs. Lynne Cheney, accompanied by Secretary Chao, Mrs. Bennett, Mrs. Boehner, and Republican staff director of the U.S. Senate Committee on Rules and Administration, Mary Suit Jones, assembled on the President's platform.

Mrs. Michelle Obama and Dr. Jill Biden, accompanied by the Secretary of the Senate, Nancy Erickson; the Clerk of the House of Representatives, Lorraine Miller; Mr. Blum, Mr. Pelosi, and Mrs. Reid, assembled on the President's platform.

The President of the United States, the Honorable George Walker Bush, and the Vice President of the United States, Dick Cheney, accompanied by Senate Republican leader Mitch McConnell, Senator Robert Bennett, House Republican leader, Representative John Boehner, and Secretary for the minority David Schiappa, assembled on the President's platform.

The Vice President-elect of the United States, Joseph R. Biden, Jr., accompanied by the inaugural coordinator for the Joint Congressional Committee on Inaugural Ceremonies, Jennifer Griffith; Senate Deputy Sergeant at Arms Drew Wilson; House Deputy Sergeant at Arms Kerri Hanley; Senate majority leader, Senator Harry Reid; House majority leader, Representative Steny Hoyer, assembled on the President's platform.

The President-elect of the United States, Barack H. Obama, accompanied by the staff director for the Joint Congressional Committee on Inaugural Ceremonies, Howard Gantman; the Senate Sergeant at Arms, Terrence W. Gainer; the House Sergeant at Arms, Wilson Livingood; chairman of the Joint Congressional Committee on Inaugural Ceremonies, Senator Dianne Feinstein; Senator Robert Bennett; the Speaker of the House of Representatives, Nancy Pelosi; the Senate majority leader, Harry Reid; House majority leader, Representative Steny Hoyer; House Republican leader, Representative John Boehner, assembled on the President's platform.

Mrs. FEINSTEIN. Mr. President and Vice President, Mr. President-elect and Vice President-elect, ladies and gentlemen, welcome to the inauguration of the 44th President of the United States of America.

(Applause.)

Mrs. FEINSTEIN. The world is watching today as our great democracy engages in this peaceful transition of power. Here on the National Mall, where we remember the founders of our Nation and those who fought to make it free, we gather to etch another line in the solid stone of history. The freedom of a people to choose its leaders is the root of liberty. In a world where political strife is too often settled with violence, we come here every 4 years to bestow the power of the Presidency upon our democratically elected leader.

Those who doubt the supremacy of the ballot over the bullet can never diminish the power engendered by nonviolent struggles for justice and equality like the one that made this day possible. No triumph tainted by brutality could ever match the sweet victory of this hour and of what it means to those who marched and died to make it a reality. Our work is not yet finished, but future generations will mark this morning as the turning point for real and necessary change in our Nation. They will look back and remember that this was the moment when the dream that once echoed across history from the steps of the Lincoln Memorial finally reached the walls of the White House.

(Applause.)

Mrs. FEINSTEIN. In that spirit, we today not only inaugurate a new administration, we pledge ourselves to the hope, the vision, the unity, and the renewed call to greatness inspired by the 44th President of the United States, Barack Obama.

(Applause.)

Mrs. FEINSTEIN. Thank you, and God bless America.

(Applause.)

Mrs. FEINSTEIN. At this time I call upon Dr. Rick Warren, pastor of the Saddleback Church in Lake Forest, CA, to provide the invocation.

Pastor WARREN. Let us pray.

Almighty God, our Father, everything we see and everything we can't see exists because of You alone. It all comes from You. It all belongs to You. It all exists for Your glory. History is Your story. The scripture tells us: Hear, O Israel, the Lord is our God, the Lord is one. And You are the compassionate and merciful one, and You are loving to every one You have made. Now, today, we rejoice, not only in America's peaceful transfer of power for the 44th time, we celebrate a hinge point of history, with the inauguration of our first African-American President of the United States. We are so grateful to live in this land, a land of unequaled possibility, where the son of an African American can rise to the highest level of our leadership. And we know today that Dr. King and a great cloud of witnesses are shouting in heaven.

Give to our new President Barack Obama the wisdom to lead us with humility, the courage to lead us with integrity, the compassion to lead us with generosity. Bless and protect him, his family, Vice President Biden, the Cabinet, and every one of our freely elected leaders. Help us, O God, to remember that we are Americans, united not by race or religion or blood but to our commitment to freedom and justice for all.

When we focus on ourselves, when we fight each other, when we forget You, forgive us. When we presume that our greatness and our prosperity is ours alone, forgive us. When we fail to treat our fellow human beings and all the Earth with the respect that they deserve, forgive us.

As we face these difficult days ahead, may we have a new birth of clarity in aims, responsibility in our actions, humility in our approaches, and civility in our attitudes, even when we differ. Help us to share, to serve, and to seek the common good of all. May all people of goodwill today join together to work for a more just, a more healthy, and a more prosperous nation and a peaceful planet. And may we never forget that one day all nations and all people will stand accountable before You.

We now commit our new President and his wife Michelle and his daughters, Malia and Sasha, into Your loving care. I humbly ask this in the name of the one who changed my life, Yeshua, Esau, Jesus, Jesus, who taught us to pray: Our Father, who art in heaven, hallowed be Thy name. Thy kingdom come. Thy will be done, on Earth as it is in heaven. Give us this day our daily bread, and forgive us our trespasses as we forgive those who trespass against us. And lead us not into temptation but deliver us from evil. For thine is the kingdom and the power and the glory forever. Amen.

(Applause.)

Mrs. FEINSTEIN. I am so pleased to introduce world renowned musical artist Aretha Franklin to sing "My Country Tis of Thee." (Performance by Ms. Aretha Franklin.)

Mrs. FEINSTEIN. Please join me in welcoming my colleague from Utah, the Honorable Robert Bennett.

Mr. BENNETT. It is my great honor to introduce Associate Justice of the Supreme

Court of the United States John Paul Stevens, who will administer the oath of office to the Vice President-elect. Will you all please stand.

Associate Justice JOHN PAUL STEVENS administered to the Vice President-elect the oath of office prescribed by the Constitution, which he repeated, as follows:

"I, JOSEPH ROBINETTE BIDEN, JR. do solemnly swear that I will support and defend the Constitution of the United States against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of my office on which I am about to enter. So help me God."

(Applause.)

Mrs. FEINSTEIN. It is my pleasure to introduce a unique musical performance: Mr. Itzhak Perlman, violinist; Anthony McGill, clarinet; Yo-Yo Ma, cellist; and Gabriela Montero, pianist, performing "Air and Simple Gifts," a composition arranged for this occasion by John Williams.

(Performance by Mr. Yo-Yo Ma, Mr. Anthony McGill, Ms. Gabriela Montero, and Mr. Itzhak Perlman.)

Mrs. FEINSTEIN. It is my distinct honor to present the Chief Justice of the United States, the Honorable John G. Roberts, Jr., who will administer the Presidential oath of office. Everyone, please stand.

The Chief Justice of the Supreme Court, JOHN G. ROBERTS, JR., administered to the President-elect the oath of office prescribed by the Constitution, which he repeated, as follows:

"I, BARACK HUSSEIN OBAMA, do solemnly swear that I will faithfully execute the office of President of the United States and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States. So Help me God."

THE CHIEF JUSTICE. Congratulations, Mr. President.

(Applause.)

Mrs. FEINSTEIN. Ladies and gentlemen, it is my great personal honor to present the 44th President of these United States, Barack Obama.

(Applause.)

The PRESIDENT. Thank you. Thank you.

My fellow citizens, I stand here today humbled by the task before us, grateful for the trust you bestowed, mindful of the sacrifices borne by our ancestors. I thank President Bush for his service to our Nation, as well as the generosity and cooperation he has shown throughout this transition.

Forty-four Americans have now taken the Presidential oath. The words have been spoken during rising tides of prosperity and the still waters of peace. Yet, every so often, the oath is taken amidst gathering clouds and raging storms. At these moments, America has carried on not simply because of the skill or vision of those in high office but because we, the people, have remained faithful to the ideals of our forebears and true to our founding documents. So it has been. So it must be with this generation of Americans.

That we are in the midst of crisis is now well understood. Our Nation is at war against a far-reaching network of violence and hatred. Our economy is badly weakened, a consequence of greed and irresponsibility on the part of some but also our collective failure to make hard choices and prepare the Nation for a new age. Homes have been lost; jobs shed; businesses shuttered. Our health care is too costly; our schools fail too many; and each day brings further evidence that the ways we use energy strengthen our adversaries and threaten our planet. These are the indicators of crisis, subject to data and statistics. Less measurable but no less pro-

found is a sapping of confidence across our land, a nagging fear that America's decline is inevitable, that the next generation must lower its sights.

Today I say to you that the challenges we face are real. They are serious, and they are many. They will not be met easily or in a short span of time. But know this, America—they will be met.

(Applause.)

On this day, we gather because we have chosen hope over fear, unity of purpose over conflict and discord. On this day, we come to proclaim an end to the petty grievances and false promises, the recriminations and worn-out dogmas that for far too long have strained our politics. We remain a young Nation, but in the words of scripture: The time has come to set aside childish things. The time has come to reaffirm our enduring spirit, to choose our better history, to carry forward that precious gift, that noble idea passed on from generation to generation, the God-given promise that all are equal, all are free, and all deserve a chance to pursue their full measure of happiness.

(Applause.)

In reaffirming the greatness of our Nation, we understand that greatness is never a given. It must be earned. Our journey has never been one of shortcuts or settling for less. It has not been the path for the faint-hearted, for those who prefer leisure over work or seek only the pleasures of riches and fame. Rather, it has been the risk takers, the doers, the makers of things, some celebrated but more often men and women obscure in their labor who have carried us up the long rugged path towards prosperity and freedom. For us, they packed up their few worldly possessions and traveled across oceans in search of a new life. For us, they toiled in sweatshops and settled the West, endured the lash of the whip, and plowed the hard earth. For us, they fought and died in places like Concord and Gettysburg, Normandy and Khe Sahn.

Time and again, these men and women struggled and sacrificed and worked until their hands were raw so that we might live a better life. They saw America as bigger than the sum of our individual ambitions, greater than all the differences of birth or wealth or faction.

This is the journey we continue today. We remain the most prosperous, powerful Nation on Earth. Our workers are no less productive than when this crisis began. Our minds are no less inventive, our goods and services no less needed than they were last week or last month or last year. Our capacity remains undiminished, and our time of standing pat and protecting narrow interests and putting off unpleasant decisions—that time has surely passed. Starting today, we must pick ourselves up, dust ourselves off, and begin again the work of remaking America.

(Applause.)

For everywhere we look, there is work to be done. The state of our economy calls for action, bold and swift. And we will act, not only to create new jobs but to lay a new foundation for growth. We will build the roads and bridges, the electric grids and digital lines that feed our commerce and bind us together. We will restore science to its rightful place and wield technology's wonders to raise health care's quality and lower its cost. We will harness the Sun and the winds and the soil to fuel our cars and run our factories. And we will transform our schools and colleges and universities to meet the demands of a new age. All this we can do. All this we will do.

Now, there are some who question the scale of our ambitions, who suggest that our system cannot tolerate too many big plans. Their memories are short. For they have for-

gotten what this country has already done, what free men and women can achieve when imagination is joined to common purpose and necessity to courage. What the cynics fail to understand is that the ground has shifted beneath them, that the stale political arguments that have consumed us for so long no longer apply.

The question we ask today is not whether our Government is too big or too small but whether it works—whether it helps families find jobs at a decent wage, care they can afford, a retirement that is dignified. Where the answer is, yes, we intend to move forward. Where the answer is no, programs will end. Those of us who manage the public's dollars will be held to account—to spend wisely, reform bad habits, and do our business in the light of day—because only then can we restore the vital trust between a people and their Government.

Nor is the question before us whether the market is a force for good or ill. Its power to generate wealth and expand freedom is unmatched. But this crisis has reminded us that without a watchful eye, the market can spin out of control and that a nation cannot prosper long when it favors only the prosperous. The success of our economy has always depended not just on the size of our gross domestic product but on the reach of our prosperity, on the ability to extend opportunity to every willing heart—not out of charity but because it is the surest route to our common good.

(Applause.)

As for our common defense, we reject as false the choice between our safety and our ideals. Our Founding Fathers, faced with perils that we can scarcely imagine, drafted a charter to assure the rule of law and the rights of man, a charter expanded by the blood of generations. Those ideals still light the world, and we will not give them up for expedience sake. And so to all the other peoples and governments who are watching today, from the grandest capitals to the small village where my father was born, know that America is a friend of each nation and every man, woman, and child who seeks a future of peace and dignity and that we are ready to lead once more.

(Applause.)

Recall that earlier generations faced down fascism and communism not just with missiles and tanks but with sturdy alliances and enduring convictions. They understood that our power alone cannot protect us, nor does it entitle us to do as we please. Instead, they knew that our power grows through its prudent use. Our security emanates from the justness of our cause, the force of our example, the tempering qualities of humility and restraint. We are the keepers of this legacy. Guided by these principles once more, we can meet those new threats that demand even greater effort, even greater cooperation and understanding between nations.

We will begin to responsibly leave Iraq to its people and forge a hard-earned peace in Afghanistan. With old friends and former foes, we will work tirelessly to lessen the nuclear threat and roll back the specter of a warming planet. We will not apologize for our way of life, nor will we waiver in its defense. And for those who seek to advance their aims by inducing terror and slaughtering innocents, we say to you now that our spirit is stronger and cannot be broken. You cannot outlast us, and we will defeat you.

(Applause.)

For we know that our patchwork heritage is a strength, not a weakness. We are a nation of Christians and Muslims, Jews and Hindus, and nonbelievers. We are shaped by every language and culture, drawn from every end of this Earth. And because we have tasted the bitter swill of civil war and segregation and emerged from that dark chapter stronger and more united, we cannot help

but believe that the old hatreds shall someday pass; that the lines of tribe shall soon dissolve; that as the world grows smaller, our common humanity shall reveal itself; and that American must play its role in ushering in a new era of peace.

To the Muslim world, we seek a new way forward based on mutual interest and mutual respect. To those leaders around the globe who seek to sow conflict or blame their society's ills on the West, know that your people will judge you on what you can build, not what you destroy.

(Applause.)

To those who claim power through corruption and deceit and the silencing of dissent, know that you are on the wrong side of history but that we will extend a hand if you are willing to unclench your fist.

(Applause.)

To the people of poor nations, we pledge to work alongside you to make your farms flourish and let clean waters flow; to nourish starved bodies and feed hungry minds. And to those nations like ours that enjoy relative plenty, we say we can no longer afford indifference to the suffering outside our borders, nor can we consume the world's resources without regard to effect. For the world has changed, and we must change with it.

As we consider the role that unfolds before us, we will remember with humble gratitude those brave Americans who at this very hour patrol far off deserts and distant mountains. They have something to tell us, just as the fallen heroes who lie in Arlington whisper through the ages. We honor them not only because they are the guardians of our liberty but because they embody the spirit of service, a willingness to find meaning in something greater than themselves. And yet at this moment—a moment that will define a generation—it is precisely this spirit that must inhabit us all. For as much as Government can do and must do, it is ultimately the faith and determination of the American people upon which this Nation relies. It is the kindness to take in a stranger when the levees break, the selflessness of workers who would rather cut their hours than see a friend lose their job which sees us through our darkest hours. It is the firefighter's courage to storm a stairway filled with smoke but also a parent's willingness to nurture a child that finally decides our fate.

Our challenges may be new. The instruments with which we meet them may be new. But those values upon which our success depends—honesty and hard work, courage and fair play, tolerance and curiosities, loyalty and patriotism—these things are old. These things are true. They have been the quiet force of progress throughout our history. What is demanded, then, is a return to these truths; what is required of us now is a new era of responsibility—a recognition, on the part of every American, that we have duties to ourselves, our Nation, and the world, duties that we do not grudgingly accept but, rather, seize gladly, firm in the knowledge that there is nothing so satisfying to the spirit, so defining of our character, than giving our all to a difficult task.

This is the price and the promise of citizenship. This is the source of our confidences—the knowledge that God calls on us to shape an uncertain destiny.

This is the meaning of our liberty and our creed—why men and women and children of every race and every faith can join in celebration across this magnificent Mall, and why a man whose father, less than 60 years ago, might not have been served at a local restaurant can now stand before you to take a most sacred oath.

(Applause.)

So let us mark this day with remembrance of who we are and how far we have traveled.

In the year of America's birth, in the coldest of months, a small band of patriots huddled by dying camp fires on the shores of an icy river; the capital was abandoned, the enemy was advancing, the snow was stained with blood; at a moment when the outcome of our Revolution was most in doubt, the Father of our Nation ordered these words be read to the people:

Let it be told to the future world . . . that in the depth of winter, when nothing but hope and virtue could survive . . . that the city and the country, alarmed at one common danger, came forth to meet [it].

America, in the face of our common dangers, in this winter of our hardship, let us remember these timeless words. With hope and virtue, let us brave once more the icy currents and endure what storms may come. Let it be said by our children's children that when we were tested, we refused to let this journey end, that we did not turn back, nor did we falter; and with eyes fixed on the horizon and God's grace upon us, we carried forth that great gift of freedom and delivered it safely to future generations.

Thank you, God bless you. And God bless the United States of America.

(Applause.)

Mrs. FEINSTEIN. I have the distinct pleasure of introducing an American poet, Elizabeth Alexander.

Ms. ALEXANDER. "Praise Song for the Day."

Each day we go about our business, walking past each other, catching each other's eyes or not, about to speak or speaking.

All about us is noise. All about us is noise and bramble, thorn and din, each one of our ancestors on our tongues.

Someone is stitching up a hem, darning a hole in a uniform, patching a tire, repairing the things in need or repair.

Someone is trying to make music somewhere, with a pair of wooden spoons on an oil drum, with cello, boom box, harmonica, voice.

A woman and her son wait for the bus. A father considers the changing sky. A teacher says, "Take out your pencils. Begin."

We encounter each other in words, words spiny or smooth, whispered or declaimed, words to consider, reconsider.

We cross dirt roads and highways that mark the will of some one and then others, who said I need to see what's on the other side.

I know there's something better down the road. We need to find a place where we are safe. We walk into that which we cannot yet see.

Say it plain: that many have died for this day. Sing the names of the dead who brought us here, who laid the train tracks, raised the bridges, picked the cotton and the lettuce, built brick by brick the glittering edifices they would then keep clean and work inside of.

Praise song for struggle, praise song for the day. Praise song for every hand-lettered sign, the figuring-it-out at kitchen tables.

Some live by love thy neighbor as thy self, others by first do no harm or take no more than you need. What if the mightiest word is love?

Love beyond marital, filial, national, love that casts a widening pool of light, love with no need to pre-empt grievance.

In today's sharp sparkle, the winter air, any thing can be made, any sentence begun. On the brink, on the brim, on the cusp,

praise song for walking forward in that light.

Mrs. FEINSTEIN. And now it is my privilege to introduce the Reverend Dr. Joseph E. Lowery to deliver the benediction.

Reverend LOWERY. God of our weary years, God of our silent tears, Thou who has brought us thus far along the way, Thou who has by the might, led us into the light, keep us forever in the path we pray. Lest our feet stray from the places, our God, where we met Thee; lest our hearts drunk with the wine of the world we forget Thee, shadowed beneath Thy hand, may we forever stand true to our God and true to our native land.

We truly give thanks for the glorious experience we have shared this day. We pray now, O Lord, for your blessing upon thy servant, Barack Obama, the 44th President of these United States, his family and his administration. He has come to this high office at a low moment in the national and, indeed, global fiscal climate. But because we know you have got the whole world in Your hands, we pray for not only our Nation but for the community of nations. Our faith does not shrink, though pressed by the flood of mortal ills, for we know that, Lord, You are able and You are willing to work through faithful leadership to restore stability, mend our brokenness, heal our wounds, and deliver us from the exploitation of the poor, the least of these, as well as favoritism toward the rich, the elite of these.

We thank You for the empowering of Thy servant, our 44th President, to inspire our Nation to believe that, yes, we can work together to achieve a more perfect Union. While we have sown the wind of greed and corruption and even as we reap the whirlwind of social and economic disruption, we seek forgiveness and we come in the spirit of unity and solidarity to commit our support to our President by willingness to make sacrifices necessary to respect Your creation, to turn to each other and not on each other.

And now Lord, in the complex arena of human relationships, help us to make choices on the side of love not hate, on the side of inclusion not exclusion, tolerance not intolerance. And as we leave this mountaintop, help us to hold on to the spirit of fellowship, of koinonia, and the oneness of our family. And take that spiritual power back to our homes, our workplaces, our churches, our temples, our mosques, wherever we seek Your will.

Bless President Barack, First Lady Michelle, look over our little "angels," Sasha and Malia. We go now to walk together, children, pledging that we won't get weary in the difficult days ahead. We know You will not leave us alone with Your hands of power and Your heart of love. Help us, then, now Lord, to work for that day when nation shall not lift up sword against nation, when tanks will be beaten into tractors, when every man and every woman shall sit under his or her own vine and fig tree, and none shall be afraid; when justice will roll down like water and righteousness as a mighty stream.

Lord, in the memory of all the saints who from their labors rest, and in the joy of a new beginning, we ask You to help us work for that day when Black will not be asked to get back, when Brown can stick around, when Yellow will be mellow, when the Red man can get ahead man, and when White will embrace what is right. Let all those who do justice and love mercy say amen. Say amen. And amen. Amen.

(Applause.)

Mrs. FEINSTEIN. Ladies and gentlemen, please rise for the singing of our national anthem by the U.S. Navy Sea Chanters Chorus. Following the anthem, please remain in place while the presidential party exits the platform. Thank you very much.

(Performance by the U.S. Navy Sea Chanters.)

(The Inaugural ceremony was concluded at 12:36 p.m.)

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### ADDITIONAL COSPONSORS

S. 249

At the request of Ms. STABENOW, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 249, a bill to amend the Internal Revenue Code of 1986 to qualify formerly homeless youth who are students for purposes of low income tax credit.

#### UNANIMOUS-CONSENT AGREEMENT—EXECUTIVE SESSION

Mr. REID. Mr. President, I also express my appreciation to my Republican colleagues for the unanimous-consent request I am going to offer at this time, which has been approved, as I understand it, by the Republican leader and the other Senators.

Mr. President, as in executive session, I ask unanimous consent that tomorrow, January 21, at the hour of 12 p.m., the Senate proceed to executive session to consider the nomination of HILLARY CLINTON to be Secretary of State; that there be 3 hours of debate, with the time equally divided and controlled between the leaders or their designees; that upon the use or yielding back of time, the Senate proceed to vote on confirmation of the nomination of Senator CLINTON; that upon confirmation, the motion to reconsider be laid upon the table; that no other motions be in order; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

#### ORDER FOR RECESS

Mr. President, I further ask unanimous consent that the Senate stand in recess for our usual party luncheons, and that the recess begin, if it is appropriate with the distinguished Republican leader, at 12:45 p.m., rather than at 12:30, so some debate can move forward.

Mr. MCCONNELL. Mr. President, if the majority leader would yield for a question?

Mr. REID. Mr. President, I would be happy to.

Mr. MCCONNELL. Is the Senator suggesting that the time on Senator CLINTON's nomination run through the luncheons?

Mr. REID. Well, what I would like to do: We would stop at a quarter to 1 and come back at 2:15 to complete that debate at that time.

Mr. MCCONNELL. That is fine.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

#### THANKING SENATOR ALEXANDER

Mr. REID. Mr. President, I express my appreciation to the distinguished Senator from Tennessee for his usual courtesies. He had to wait for me to get here, and I appreciate his withholding until the Republican leader and I got here. The Senator from Tennessee is always a gentleman, and even though he and I do not agree once in a while on political issues, we always agree he is a gentleman.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the majority leader for his remarks. Unless the Republican leader has some remarks, I would like to say a couple things.

#### AMERICA: A REMARKABLE COUNTRY

Mr. ALEXANDER. Mr. President, in August 1963, I was a law student and a summer intern in the U.S. Department of Justice here in Washington. I was standing at the back of a huge crowd on a hot day when Dr. King spoke of his dream that one day his children would be judged not "by the color of their skin, but by the content of their character."

The inauguration of our former colleague, Barack Obama, the day after Dr. King's birthday, symbolizes both remarkable progress on America's most intractable problem—race—and a reaffirmation of our country's most unique characteristic—a fervent belief that anything is possible.

I thought about this in the same way 4 years ago at almost this time. I formed a speech in my head that I wanted to make, but I did not make it. Senators are rarely guilty of unexpressed thoughts. I have said many things I wish I had not said, but this is one time I wish I had said, 4 years ago, what I was thinking. So I wish to say it today, right after President Obama's inauguration. And I am especially delighted Senator MARTINEZ happens to be here too.

What I was thinking 4 years ago as the new Senators were sworn in was that here were three Members of the new class who had especially unique characteristics, and they had special people in the gallery that day.

I, with Senator CARPER and some others, had been asked by the leaders

to work on the orientation for the new Senators. So we had gotten to know the new Senators, including SALAZAR and Obama and MARTINEZ, during that period of time.

So here is what I was thinking that day—and let's take them one by one. Here was Senator SALAZAR from Colorado with a Spanish surname, but he will be quick to tell you that his family has been here for 14 generations and helped to found Santa Fe. He has had a distinguished career here now. On that day 4 years ago, his mother was in the gallery.

Senator MARTINEZ was sworn in 4 years ago as a new Member of the Senate, in this case from Florida. His story, which he has just published in a remarkably good book which I have given to many of my friends, is the story of a young boy growing up very happily in Cuba whose parents took him to the airport one day, after having bought him a new suit, when he was 14 years of age, and put him on an airplane to Miami, not knowing if they would ever see him again. He was in a foster home there, then moved to Orlando. The story is all in the book. He went to Florida State, met his wife Kitty, became the mayor of Orlando, then became a member of President Bush's Cabinet, then a Member of the U.S. Senate. A very remarkable story. His mother, who put him on the airplane in Cuba, was here that day.

These same 4 years ago when we swore in these new Members of the Senate, we also had the Senator from Illinois. We all now know his story very well: a father from Kenya, a mother from Kansas. I don't need to repeat that extraordinary story, about which he has written so well in his autobiography. But what struck me was that his grandmother was in the gallery that day. It was either his grandmother or his grandfather, but I believe it was his grandmother. His father's parent was in the gallery that day on the first trip, I believe, from Africa to this country to see the son of an immigrant sworn into the U.S. Senate.

So I thought 4 years ago, and I think again today on this day on which we swear in Barack Obama as President, what a remarkable country this is. Here in this Senate 4 years ago, the 14th-generation American KEN SALAZAR is now going into President Obama's Cabinet as Secretary of the Interior. MEL MARTINEZ, having had a long career in public life as mayor in Orlando, as Secretary of Housing and Urban Development, as U.S. Senator, is going on to other things in his life. Former Senator Obama, of course, is now the President of the United States. But what was remarkable to me was 4 years ago they came to this Senate, and in that gallery were their parents—and in one case a grandparent—reaffirming what I think Barack Obama's inauguration represents for us today. It was historic in the sense that it helped us symbolize the overcoming of one of our most intractable problems, the problem of race. But just as

important, it symbolized once again the characteristic that makes this country more remarkable than any other country, the idea that anything is possible.

People in other parts of the world look at the United States, and they don't always approve of us, but they know one thing is different about us: that we are not a country based on blood or race or the color of our skin or where our grandparents came from; that we are based upon our common belief in a few ideas, most of which are incorporated in two founding documents, the Declaration of Independence and the Constitution. But one of those ideas is just in our character, and that is this irrational, fervent belief that in this country, anything is possible. Senator MARTINEZ, Senator SALAZAR, and former Senator Barack Obama all represent that beautifully, and that makes this a very special day.

I thank the President, I yield the floor.

#### ORDERS FOR WEDNESDAY, JANUARY 21, 2009

Mr. REED. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 noon tomorrow, Wednesday, January 21; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to executive session as under the previous order.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). Without objection, it is so ordered.

#### PROGRAM

Mr. REED. Mr. President, tomorrow the Senate will consider the nomination of HILLARY CLINTON to be Secretary of State, with up to 3 hours for debate prior to a vote. Under a previous order, the Senate will recess for the weekly caucus luncheons from 12:45 until 2:15 p.m. Senators should expect a rollcall vote on confirmation of the Clinton nomination around 4:30 p.m., if all time is used.

Following executive session, the Senate will resume consideration of S. 181, the Lilly Ledbetter Fair Pay Act. Additional rollcall votes are possible throughout the afternoon in relation to the Lilly Ledbetter bill.

#### ADJOURNMENT UNTIL TOMORROW

Mr. REED. If there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order.

There being no objection, the Senate, at 3:58 p.m., adjourned until Wednesday, January 21, 2009, at 12 noon.

#### NOMINATIONS

Executive nominations received by the Senate:

##### DEPARTMENT OF HEALTH AND HUMAN SERVICES

THOMAS ANDREW DASCHLE, OF SOUTH DAKOTA, TO BE SECRETARY OF HEALTH AND HUMAN SERVICES.

##### DEPARTMENT OF THE INTERIOR

KENNETH LEE SALAZAR, OF COLORADO, TO BE SECRETARY OF THE INTERIOR.

##### DEPARTMENT OF THE TREASURY

TIMOTHY F. GEITHNER, OF NEW YORK, TO BE SECRETARY OF THE TREASURY.

##### DEPARTMENT OF JUSTICE

ERIC H. HOLDER, JR., OF THE DISTRICT OF COLUMBIA, TO BE ATTORNEY GENERAL.

##### ENVIRONMENTAL PROTECTION AGENCY

LISA PEREZ JACKSON, OF NEW JERSEY, TO BE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.

##### EXECUTIVE OFFICE OF THE PRESIDENT

RONALD KIRK, OF TEXAS, TO BE UNITED STATES TRADE REPRESENTATIVE, WITH THE RANK OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY.

##### DEPARTMENT OF TRANSPORTATION

RAY LAHOOD, OF ILLINOIS, TO BE SECRETARY OF TRANSPORTATION.

##### DEPARTMENT OF STATE

SUSAN E. RICE, OF THE DISTRICT OF COLUMBIA, TO BE THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS, WITH THE RANK AND STATUS OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY, AND THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA IN THE SECURITY COUNCIL OF THE UNITED NATIONS.

##### EXECUTIVE OFFICE OF THE PRESIDENT

CHRISTINA DUCKWORTH ROMER, OF CALIFORNIA, TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS, VICE EDWARD P. LAZEAR.

##### DEPARTMENT OF LABOR

HILDA L. SOLIS, OF CALIFORNIA, TO BE SECRETARY OF LABOR.

##### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SHAUN L. S. DONOVAN, OF NEW YORK, TO BE SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

##### DEPARTMENT OF AGRICULTURE

THOMAS J. VILSACK, OF IOWA, TO BE SECRETARY OF AGRICULTURE.

##### DEPARTMENT OF VETERANS AFFAIRS

ERIC K. SHINSEKI, OF HAWAII, TO BE SECRETARY OF VETERANS AFFAIRS.

##### EXECUTIVE OFFICE OF THE PRESIDENT

PETER R. ORSZAG, OF MASSACHUSETTS, TO BE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET.

##### DEPARTMENT OF HOMELAND SECURITY

JANET ANN NAPOLITANO, OF ARIZONA, TO BE SECRETARY OF HOMELAND SECURITY.

##### DEPARTMENT OF EDUCATION

ARNE DUNCAN, OF ILLINOIS, TO BE SECRETARY OF EDUCATION.

##### DEPARTMENT OF STATE

HILLARY RODHAM CLINTON, OF NEW YORK, TO BE SECRETARY OF STATE.

SUSAN E. RICE, OF THE DISTRICT OF COLUMBIA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS DURING HER TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS.

##### DEPARTMENT OF ENERGY

STEVEN CHU, OF CALIFORNIA, TO BE SECRETARY OF ENERGY.

##### DEPARTMENT OF COMMERCE

JANE LUBCHENCO, OF OREGON, TO BE UNDER SECRETARY OF COMMERCE FOR OCEANS AND ATMOSPHERE, VICE CONRAD LAUTENBACHER, JR., RESIGNED.

##### OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

DENNIS CUTLER BLAIR, OF PENNSYLVANIA, TO BE DIRECTOR OF NATIONAL INTELLIGENCE, VICE J. MICHAEL MCCONNELL, RESIGNED.

##### EXECUTIVE OFFICE OF THE PRESIDENT

ROBERT L. NABORS II, OF NEW JERSEY, TO BE DEPUTY DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET, VICE STEPHEN S. MCMILLIN, RESIGNED.

CECILIA ELENA ROUSE, OF CALIFORNIA, TO BE MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS, VICE DONALD B. MARRON, RESIGNED.

##### SECURITIES AND EXCHANGE COMMISSION

MARY L. SCHAPIRO, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR A TERM EXPIRING JUNE 5, 2014, VICE CHRISTOPHER COX, RESIGNED.

##### DEPARTMENT OF STATE

JAMES BRAIDY STEINBERG, OF TEXAS, TO BE DEPUTY SECRETARY OF STATE, VICE JOHN D. NEGROPONTE.

##### EXECUTIVE OFFICE OF THE PRESIDENT

NANCY HELEN SUTLEY, OF CALIFORNIA, TO BE A MEMBER OF THE COUNCIL ON ENVIRONMENTAL QUALITY, VICE JAMES LAURENCE CONNAUGHTON.

##### FEDERAL RESERVE SYSTEM

DANIEL K. TARULLO, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR A TERM OF FOURTEEN YEARS FROM FEBRUARY 1, 2008, VICE RANDALL S. KROZNER, TERM EXPIRED.

##### DEPARTMENT OF STATE

JACOB J. LEW, OF NEW YORK, TO BE DEPUTY SECRETARY OF STATE FOR MANAGEMENT AND RESOURCES. (NEW POSITION)

##### DEPARTMENT OF DEFENSE

JEH CHARLES JOHNSON, OF NEW YORK, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF THE DEFENSE, VICE WILLIAM J. HAYNES II, RESIGNED.

##### EXECUTIVE OFFICE OF THE PRESIDENT

JOHN P. HOLDREN, OF MASSACHUSETTS, TO BE DIRECTOR OF THE OFFICE OF SCIENCE AND TECHNOLOGY POLICY, VICE JOHN H. MARBURGER, III.

##### DEPARTMENT OF DEFENSE

ROBERT F. HALE, OF VIRGINIA, TO BE UNDER SECRETARY OF DEFENSE (COMPTROLLER), VICE TINA WESTBY JONAS, RESIGNED.

##### EXECUTIVE OFFICE OF THE PRESIDENT

AUSTAN DEAN GOOLSBEE, OF ILLINOIS, TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS, VICE KATHERINE BAICKER, RESIGNED.

##### COMMODITY FUTURES TRADING COMMISSION

GARY GENSLER, OF MARYLAND, TO BE CHAIRMAN OF THE COMMODITY FUTURES TRADING COMMISSION, VICE REUBEN JEFFERY III, RESIGNED.

GARY GENSLER, OF MARYLAND, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING APRIL 13, 2012, VICE RUEBEN JEFFERY III, RESIGNED.

##### DEPARTMENT OF DEFENSE

MICHELE A. FLOURNOY, OF MARYLAND, TO BE UNDER SECRETARY OF DEFENSE FOR POLICY, VICE ERIC S. EDELMAN, RESIGNED.

WILLIAM J. LYNN, III, OF THE DISTRICT OF COLUMBIA, TO BE DEPUTY SECRETARY OF DEFENSE, VICE GORDON ENGLAND.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate: Tuesday, January 20, 2009

##### DEPARTMENT OF AGRICULTURE

THOMAS J. VILSACK, OF IOWA, TO BE SECRETARY OF AGRICULTURE.

##### DEPARTMENT OF EDUCATION

ARNE DUNCAN, OF ILLINOIS, TO BE SECRETARY OF EDUCATION.

##### DEPARTMENT OF ENERGY

STEVEN CHU, OF CALIFORNIA, TO BE SECRETARY OF ENERGY.

##### DEPARTMENT OF HOMELAND SECURITY

JANET ANN NAPOLITANO, OF ARIZONA, TO BE SECRETARY OF HOMELAND SECURITY.

##### DEPARTMENT OF THE INTERIOR

KENNETH LEE SALAZAR, OF COLORADO, TO BE SECRETARY OF THE INTERIOR.

##### DEPARTMENT OF VETERANS AFFAIRS

ERIC K. SHINSEKI, OF HAWAII, TO BE SECRETARY OF VETERANS AFFAIRS.

##### EXECUTIVE OFFICE OF THE PRESIDENT

PETER R. ORSZAG, OF MASSACHUSETTS, TO BE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET.

# Daily Digest

## HIGHLIGHTS

The House and Senate met for the Inauguration of President Barack Hussein Obama and Vice President Joseph Robinette Biden, Jr.

## Senate

### *Chamber Action*

*Routine Proceedings, pages S661–71*

**Nomination—Agreement:** A unanimous-consent-time agreement was reached providing that at 12 noon, on Wednesday, January 21, 2009, Senate consider the nomination of Hillary Clinton, to be Secretary of State, and that there be 3 hours of debate, with the time equally divided and controlled between the two Leaders, or their designees, and that Senate then vote on confirmation of the nomination.

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**Nominations Confirmed:** Senate confirmed the following nominations:

Arne Duncan, of Illinois, to be Secretary of Education.

Janet Ann Napolitano, of Arizona, to be Secretary of Homeland Security.

Peter R. Orszag, of Massachusetts, to be Director of the Office of Management and Budget.

Steven Chu, of California, to be Secretary of Energy.

Thomas J. Vilsack, of Iowa, to be Secretary of Agriculture.

Kenneth Lee Salazar, of Colorado, to be Secretary of the Interior.

Eric K. Shinseki, of Hawaii, to be Secretary of Veterans Affairs.

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**Nominations Received:** Senate received the following nominations:

Hillary Rodham Clinton, of New York, to be Secretary of State.

Dennis Cutler Blair, of Pennsylvania, to be Director of National Intelligence.

Steven Chu, of California, to be Secretary of Energy.

Michele A. Flournoy, of Maryland, to be Under Secretary of Defense for Policy.

Thomas Andrew Daschle, of South Dakota, to be Secretary of Health and Human Services.

Gary Gensler, of Maryland, to be a Commissioner of the Commodity Futures Trading Commission for a term expiring April 13, 2012.

Shaun L. S. Donovan, of New York, to be Secretary of Housing and Urban Development.

Gary Gensler, of Maryland, to be Chairman of the Commodity Futures Trading Commission.

Arne Duncan, of Illinois, to be Secretary of Education.

Austan Dean Goolsbee, of Illinois, to be a Member of the Council of Economic Advisers.

Timothy F. Geithner, of New York, to be Secretary of the Treasury.

Robert F. Hale, of Virginia, to be Under Secretary of Defense (Comptroller).

Eric H. Holder, Jr., of the District of Columbia, to be Attorney General.

John P. Holdren, of Massachusetts, to be Director of the Office of Science and Technology Policy.

Lisa Perez Jackson, of New Jersey, to be Administrator of the Environmental Protection Agency.

Jeh Charles Johnson, of New York, to be General Counsel of the Department of the Defense.

Ronald Kirk, of Texas, to be United States Trade Representative, with the rank of Ambassador.

Jacob J. Lew, of New York, to be Deputy Secretary of State for Management and Resources.

Ray LaHood, of Illinois, to be Secretary of Transportation.

Jane Lubchenco, of Oregon, to be Under Secretary of Commerce for Oceans and Atmosphere.

Janet Ann Napolitano, of Arizona, to be Secretary of Homeland Security.

William J. Lynn, III, of the District of Columbia, to be Deputy Secretary of Defense.

Peter R. Orszag, of Massachusetts, to be Director of the Office of Management and Budget.

Robert L. Nabors II, of New Jersey, to be Deputy Director of the Office of Management and Budget.

Susan E. Rice, of the District of Columbia, to be the Representative of the United States of America

to the United Nations, with the rank and status of Ambassador, and the Representative of the United States of America in the Security Council of the United Nations.

Cecilia Elena Rouse, of California, to be Member of the Council of Economic Advisers.

Susan E. Rice, of the District of Columbia, to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations during her tenure of service as Representative of the United States of America to the United Nations.

Mary L. Schapiro, of the District of Columbia, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2014.

Christina Duckworth Romer, of California, to be a Member of the Council of Economic Advisers.

James Braidy Steinberg, of Texas, to be Deputy Secretary of State.

Kenneth Lee Salazar, of Colorado, to be Secretary of the Interior.

Nancy Helen Sutley, of California, to be a Member of the Council on Environmental Quality.

Eric K. Shinseki, of Hawaii, to be Secretary of Veterans Affairs.

Daniel K. Tarullo, of Massachusetts, to be Member of the Board of Governors of the Federal Reserve System for a term of fourteen years from February 1, 2008.

Hilda L. Solis, of California, to be Secretary of Labor.

Thomas J. Vilsack, of Iowa, to be Secretary of Agriculture. **Page S671**

**Additional Cosponsors:** **Page S670**

**Additional Statements:** **Pages S663–67**

**Adjournment:** Senate convened at 3 p.m. and adjourned at 3:58 p.m., until 12 p.m. on Wednesday, January 21, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S671.)

## Committee Meetings

*(Committees not listed did not meet)*

No committee meetings were held.

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# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** There were no bills or resolutions introduced.

**Additional Cosponsors:** **Page H390**

**Reports Filed:** There were no reports filed today.

**Speaker:** Read a letter from the Speaker wherein she appointed Representative Castello to act as Speaker Pro Tempore for today. **Page H389**

**Committee Resignation:** Read a letter from Representative Scalise, wherein he resigned from the Committees on Transportation and Infrastructure and Veterans' Affairs. **Page H389**

**Committee Resignation:** Read a letter from Representative Daniel E. Lungren (CA), wherein he resigned from the Committee on the Budget. **Page H389**

**Inauguration Ceremonies:** Pursuant to H. Res. 23, the House proceeded in a body to the Inauguration Ceremony for President Barack Obama and Vice President Joseph Biden. **Pages H389–90**

**Quorum Calls—Votes:** There were no Yea and Nay votes, and there were no Recorded votes. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and at 12:47 p.m., pursuant to H. Res. 61, it stands adjourned until 12 noon on Wednesday, January 21, 2009.

## Committee Meetings

No committee meetings were held.

## Joint Meetings

No joint committee meetings were held.

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## COMMITTEE MEETINGS FOR WEDNESDAY, JANUARY 21, 2009

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on the Budget:* to hold hearings to examine addressing short-and long-term fiscal challenges, 10 a.m., SD-608.

*Committee on Commerce, Science, and Transportation:* to hold hearings to examine the nomination of Ray LaHood, to be Secretary of Transportation, 2 p.m., SR-253.

*Committee on Finance:* to hold hearings to examine the nomination of Timothy F. Geithner, of New York, to be Secretary of the Treasury, 10 a.m., SD-215.

*Committee on Foreign Relations:* business meeting to consider the nomination of Susan E. Rice, to be Permanent Representative to the United Nations, with the rank and status of Ambassador, and to be Representative to the

Sessions of the General Assembly of the United Nations during her tenure of service as Representative to the United Nations, 2:30 p.m., S-116, Capitol.

*Committee on Homeland Security and Governmental Affairs:* to hold hearings to examine the financial crisis and the breakdown of financial governance, 2 p.m., SD-342.

#### House

No committee meetings are scheduled.



*Next Meeting of the SENATE*

12 noon, Wednesday, January 21

*Next Meeting of the HOUSE OF REPRESENTATIVES*

12 noon, Wednesday, January 21

## Senate Chamber

**Program for Wednesday:** Senate will consider the nomination of Hillary Clinton, to be Secretary of State, with a vote on confirmation of the nomination to occur following 3 hours of debate.

*(Senate will recess from 12:45 p.m. until 2:15 p.m. for their respective party conferences.)*

## House Chamber

**Program for Wednesday:** To be announced.



# Congressional Record

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