



United States
of America

Congressional Record

CORRECTION

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, SECOND SESSION

Vol. 154

WASHINGTON, FRIDAY, JUNE 20, 2008

No. 103

Senate

(Legislative day of Thursday, June 19, 2008)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the Honorable SHELDON WHITEHOUSE, a Senator from the State of Rhode Island.

PRAYER

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

Let us pray.
O Lord of the storm and the calm, the troubled sea and the quiet brook, give the Members of this body strength for today. Help them as they find common ground and adapt themselves to the surprises each day can bring. Remind them that life is often difficult and that they need You in every season. Save them from being so preoccupied with difficulties that they cannot see all the opportunities about them. Help them not to run ahead of You or to lag behind. Instead, may they walk with You at Your pace, in Your timing, and toward Your goals. Lord, lift them above pettiness so that they will accomplish the tasks that need to be done.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable SHELDON WHITEHOUSE 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 communication 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, June 20, 2008.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable SHELDON WHITEHOUSE, a Senator from the State of Rhode Island, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

HOUSING CRISIS

Mr. REID. Mr. President, what is the business now?

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the House message to accompany H.R. 3221.

Mr. REID. Mr. President, we are in the splendor of this beautiful Senate Chamber. We have all had a good night's rest. But around America today, there are people in the West who are just awakening and people in the East have been awake for a while. But a lot of those people have had bad nights; they are in danger of losing their homes. They don't know what to do. They realize other homes have gone to foreclosure and the neighborhood is going down. They can see it, and it has put a pall over the economic viability of our country. That is what this legislation is all about.

Those people will benefit from what was done in the Senate yesterday, and we will, I believe, sometime early next week, pass this bill. It is going to be a tremendous help to those people around America who are suffering as a result of this housing crisis, and they are suffering.

Sometimes we don't recognize what we need to do and what we have done. I feel it is extremely important to

spread on the record—I have tried to do this the last few days—that the work done by the chairman of the committee, Senator DODD, the ranking member, Senator SHELBY, is exemplary work, bipartisan work. Recognizing the slim majority we Democrats have in the Senate, 51 to 49, anything we do is going to be close, people are going to have to give up some of their ideas as to a perfect world and recognize that sometimes we have to compromise. That is what legislation is all about.

I admire and appreciate the work that was done by the entire Senate yesterday.

AMERICAN HOUSING RESCUE AND FORECLOSURE PREVENTION ACT OF 2008—Resumed

The ACTING PRESIDENT pro tempore. The clerk will report the House message to accompany H.R. 3221.

The legislative clerk read as follows:

A message from the House of Representatives to accompany H.R. 3221, an act to provide needed housing reform and for other purposes.

Pending:

Reid (for Dodd-Shelby) amendment No. 4983 (to the House amendment striking section 1 through title V and inserting certain language to the Senate amendment to the bill), of a perfecting nature.

Bond amendment No. 4987 (to amendment No. 4983), to enhance mortgage loan disclosure requirements with additional safeguards for adjustable rate mortgages with an initial fixed rate and loans that contain prepayment penalty.

Dole amendment No. 4984 (to amendment No. 4983), to improve the regulation of appraisal standards.

Sununu amendment No. 4999 (to amendment No. 4983), to amend the United States Housing Act of 1937 to exempt qualified public housing agencies from the requirement of

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



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preparing an annual public housing agency plan.

Kohl amendment No. 4988 (to amendment No. 4983), to protect the property and security of homeowners who are subject to foreclosure proceedings.

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to concur in the amendment of the House, striking section 1 and all that follows through the end of title V, and inserting certain language to the amendment of the Senate to H.R. 3221, the Foreclosure Prevention Act, with amendment No. 4983.

Harry Reid, Christopher J. Dodd, Daniel K. Inouye, Jeff Bingaman, Max Baucus, Patty Murray, Mark L. Pryor, Barbara Boxer, Benjamin L. Cardin, Sherrod Brown, Jon Tester, Bill Nelson, Bernard Sanders, Maria Cantwell, Tom Harkin, Frank R. Lautenberg, Charles E. Schumer.

Mr. REID. Mr. President, I ask unanimous consent that the vote occur 1 hour after use of leader time on Tuesday, June 24, the mandatory quorum be waived, and that occur no later than 11 a.m. on that day.

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

Mr. REID. Mr. President, I am sorry. I have to revise my request. I thought we were reconvening at 9:30 a.m. We are not coming in until 10. I will restate the request.

I ask unanimous consent that the vote occur 1 hour after the use of any leader time on Tuesday, June 24, with the mandatory quorum being waived.

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

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader.

HIGH GASOLINE PRICES

Mr. McCONNELL. Mr. President, there is no doubt that the subprime mortgage crisis is a timely and important issue, and it is a worthy topic for the Senate to have taken up. There is also little doubt that the single most important issue facing Americans at the moment is the high price of gasoline at the pump.

Indeed, it would be difficult to find a single American who has escaped the painful effects of the recent record spike in gas prices and who is not eager for Congress to do something about it. That is why I was so concerned to hear the Democratic nominee for President say last week he was not as concerned about high gas prices as he was about the fact that they rose so quickly. He would have preferred a "gradual adjustment," as he put it, to the sudden shock we all got.

More concerning, not a single Democrat in the Senate has come forward to distance himself or herself publicly from his words.

The message of the junior Senator from Illinois was clear: High gas prices don't concern him as much as they concern most people. By allowing his comments to stand, congressional Democrats are being equally clear they agree with him.

The fact is, on the issue of lowering gas prices, congressional Democrats have had very little to say. There is a commonsense response and that is to increase supply at home in a limited, environmentally responsible way.

America floats on top of an ocean of untapped oil reserves three times the size of Saudi Arabia's. As an immediate response to high gas prices, common sense dictates we should be moving immediately to increase our own massive domestic supplies and add American jobs in the process. In the short term, there is only one answer to high gas prices, and that is more American energy now.

Looking ahead, there is no doubt something needs to be done about demand. But while congressional Republicans have a solution to the problem, our friends on the other side have shown a stubborn unwillingness over the years to do much at all about increasing domestic supply, and the result of yesterday's inaction is the strain American families are feeling today in the form of record-high gas prices.

By failing to address supply, even with gas prices at \$4 a gallon, congressional Democrats are telling the American people \$4-a-gallon gasoline is acceptable, that they should get used to it. Kentuckians are not interested in getting used to \$4-a-gallon gas and neither am I.

Congress has the power to do something about high gas prices, and we should. Americans are looking to Washington for action. What they are getting instead from Democrats in Congress is a lecture on "gradual adjustments." Americans do not need a lecture; they need relief.

While Americans grow increasingly frustrated with gas prices, Democrats in the House of Representatives are showing where their priorities lie. Among other legislative business this week, they scheduled a vote on whether to ban the interstate sale of monkey keys. House Democrats also recently took up resolutions commemorating National Plumbing Industry Week and the International Year of Sanitation. These resolutions are important, no doubt, to some. Yet none of them will do anything to lower gas prices.

Americans frustrated about high gas prices are wondering why Democrats in Congress are talking about monkey trade, and I don't blame them. It is time Democrats took the issue of high gas prices as seriously as the American people do. It is time Democrats in Congress join with the Republicans and get

serious about lowering \$4-a-gallon gas and lessening our reliance on Middle Eastern oil.

UNANIMOUS-CONSENT REQUEST—FEDERAL ELECTION COMMISSION NOMINEES

Mr. President, I have indicated to my good friend, the majority leader, it was my intention to ask consent that we go ahead and confirm the FEC nominees. This agency has been essentially dysfunctional for most of the year because of disputes over the membership. I have given him notice that I would like to do that. I did not wish to surprise him.

Therefore, I ask unanimous consent that today, at a time to be determined by the two leaders, the Senate proceed to executive session under the following order: that the Senate begin consideration, en bloc, of the following Federal Election Commission nominations: Calendar No. 306, Steven T. Walther; Calendar No. 624, Cynthia L. Bauerly; Calendar No. 625, Caroline C. Hunter; Calendar No. 626, Donald F. McGahn; and the nomination of Matthew S. Petersen, PN1765, which is to be discharged from the Rules Committee; provided further, that there be 1 hour of total debate on the nominations, en bloc, with the time divided equally between the chairman and the ranking member of the Rules Committee. I further ask unanimous consent that at the expiration or yielding back of time, the nominations be confirmed, en bloc, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and, finally, the Senate return to legislative session.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. REID. Mr. President, reserving the right to object, we are very close to being able to accept this. I think the consent agreement is appropriate. I think the times laid out are what we need. But I have a Senator who still has one more conversation with one of the nominees. He has been diligent. He has met with almost every one of them. He has one more. That person is in Europe now, and he has agreed to do that by telephone. So, in the next couple days, he will do that.

I have every belief that very early next week we should be able to complete these nominations. A number of these people have been very patient. They have been hanging on, basically living off their savings or their wife's work, whatever the case might be, but they have not been working because, as the Republican leader said, it has been nonfunctional, they have been out of work.

I think we can get this done very quickly. It is very important. It is important for Democrats and Republicans. We need a body there that questions can be submitted to, especially in the midst of this Presidential election and all the other elections going on around the country.

Based on what I have said, Mr. President, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

The Republican leader.

Mr. MCCONNELL. Mr. President, I am pleased to hear the majority leader shares my concern that we do not have a fully functioning Federal Election Commission. In fact, yesterday, the Democratic nominee for President called the system broken. Today is another example of the broken system.

This battle has been going on for more than 2 years, believe it or not, starting with the recess appointment of very well-qualified and well-respected experts in this field. The three recess appointments expired at the first of this year, and two nominees have ultimately withdrawn, citing the need for gainful employment, both well qualified, but one, having been unfairly and falsely maligned, ended up withdrawing.

So here we are today, after an April 29 commitment by the majority, that a review of new nominees would be simple and a commitment to speedy review. I know that is what the majority leader hoped to accomplish but, in fact, here we are still.

Let me be perfectly clear, we have gone out of our way, willing to confirm nominees who many on our side believe are completely misguided on the matter they would be regulating. But in the interest of obtaining a fully functioning FEC, it has always been my belief that the Democrats pick their nominees and we pick ours. I can't recall ever having made a Democratic nominee for the Federal Election Commission "controversial," but that seems not to be the case when Republicans pick nominees. They are frequently demonized and declared unqualified.

Nevertheless, we are where we are, and hopefully we can get this done as rapidly as possible. There always seems to be a snag, and the snags always seem to be on the other side. I know this is something the majority leader is not happy about. He has just indicated he wants to move forward, and it is my hope we can get this done as rapidly as possible.

Mr. President, I ask unanimous consent to have printed in the RECORD an article citing the Democratic National Committee's intent to file yet another frivolous lawsuit next Tuesday—one that was dismissed once before—against the FEC, citing their failure to act on a matter related to Senator MCCAIN.

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

(See exhibit 1.)

Mr. MCCONNELL. Mr. President, the only way the DNC can maintain this suit is if there is a nonfunctioning FEC. Thus, in order for the DNC's already failed lawsuit to go forward, this package must be objected to, and they have done just that.

I hope this continued delay of getting a fully constituted FEC is not related

to the fact that the DNC is trying to, we think, file a lawsuit on Monday. Those are the kinds of shenanigans which I don't think we ought to export from the campaign to the Senate. In the Senate, it strikes me we have an obligation to get this Federal Election Commission reconstituted and functioning, not to try to give one party's national committee or another some kind of advantage in a pending lawsuit.

So I am encouraged by the majority leader's desire to get these nominations completed. I know we are not having votes Monday, but we are in Monday. It strikes me that Monday would be a very good time to get these nominees confirmed, if, in fact, we can't do it later today if the snag the majority leader indicated could be cleared up. I know, because he has just said, he shares my view that we ought to get this job done, and I think the best time to do it would be today. The second best time to do it would be shortly after we convene on Monday.

EXHIBIT 1

DNC TO AGAIN FILE SUIT ON MCCAIN'S MATCHING FUNDS

(By Jonathan Martin) June 17, 2008

The DNC will today announce that they intend to file a lawsuit next week in U.S. District Court to spur an FEC inquiry over whether John McCain illegally withdrew from the federal financing system.

The committee first issued a complaint to the FEC in February, but in April a federal judge ruled that, even though the FEC lacked a quorum, they still could convene before the end of the 120 days they're given to examine complaints.

Now, with those 120 days expiring on June 24th, the DNC is acting again in hopes a judge will compel the FEC to act on their complaint, as is allowed by law.

At issue is whether McCain locked himself into spending limits in the primary by putting up anticipated matching funds as collateral for the loan that helped keep his underfunded campaign alive at the end of 2007.

Democrats hope to puncture a hole in McCain's good government image by pressing the issue while Republicans dismiss it as totally groundless.

First, though, the FEC needs to have sufficient members to form a quorum. With one nominee having withdrawn from consideration last month, the Senate appears to be finally ready to confirm additional commissioners in the next few weeks.

HONORING OUR ARMED FORCES

LANCE CORPORAL JUSTIN D. SIMS

Mr. MCCONNELL. Mr. President, I rise to pay tribute to a young man from my home, the Commonwealth of Kentucky, who gave his life in the performance of his duty as a U.S. marine. On April 15, 2006, an improvised explosive device detonated under LCpl Justin Sims's humvee as he patrolled Al Anbar Province in Iraq. The Covington, KY, native was 22 years old.

For his valor in uniform, Lance Corporal Sims received several awards, medals, and decorations, including the Sea Service Deployment Ribbon, the National Defense Service Medal, and the Purple Heart.

At a young age, Lance Corporal Sims had found what many Americans twice his age are still searching for: his life's

calling. Justin's family members agree that even as a child, he aspired to serve his country in uniform.

His mother Alma Sims commented that:

On 9/11, he was a junior in high school. He said, "I'd go now if they would take me." You would think he was bred to be a Marine. From 4 and 5 years old, his favorite movie was *Tour of Duty*. The Marines was all he talked about.

Perhaps Justin was influenced by his grandfather Coleman Luster, an Army veteran. Justin admired his grandfather's service, if not necessarily how he chose to serve.

Alma remembers:

Papaw and Justin would joke around. Justin would say, "Army was the best thing back then, but the Marines rule now." Justin looked up to Papaw. They were real close. My dad would always tease me, "You did great raising your boy. Let's see how these girls go."

These girls were Justin's four sisters, all younger than he was. Justin was a kind and caring older brother, and with Alma being a single parent, he made sure to spend a lot of time with his sisters to make things easier for his mother.

Alma said:

He would take my four girls to school each day whenever I had to go to work early. I told him, "You don't need to do that because I have a sitter." But he insisted on taking care of them. You would think that him being 11 years older, he wouldn't want anything to do with them. It was just the opposite. If there was snow on the ground, he would take all the girls out sledding. There was no hill too large for him.

Justin started ROTC in the eighth grade and participated at Holmes High School. He was a marksman with State honors for his ROTC rifle unit and participated in sharpshooting competitions all over the country. Neighbors recall seeing young Justin practicing how to twirl his rifle in front of his house. Once he tried to teach one of his sisters, then only 8 years old, how to twirl the rifle. She ended up with a big dent on her forehead.

Alma says:

We still laugh about that today because they told me she had fallen.

Justin graduated from Holmes High School in 2003 and later that year enlisted in the U.S. Marine Corps. He was eventually assigned to the 3rd Battalion, 8th Marine Regiment, 2nd Marine Division, II Marine Expeditionary Force, based out of Camp Lejeune, NC.

Before he left, however, while still in his senior year at Holmes, Justin worked after school at a restaurant.

There, he met a young woman named Leah, who only worked at the same restaurant for a week but kept hanging around to see her friends.

Alma recalls:

He started flirting with her, then told her he was going to ask her out.

Justin Sims and Leah Matt-Sims were married on December 26, 2004, after changing the date a few times because of Justin's uncertain deployment schedule. The happy couple found time

to honeymoon in Kentucky before Justin returned to Camp Lejeune.

Alma recalls:

When he came back from his first tour, I said, "How many people do you know can say, 'I have protected the United States?'" He would say, "And I do it with pride." He considered it an honor to be a Marine and to serve his country.

As a marine, Justin would periodically return to Holmes High School and speak to students in the ROTC Program. He deployed for his second tour of duty, this time in support of Operation Iraqi Freedom, in March 2006.

Alma said:

I told him before he left for his last tour, "I have a bad feeling." He said, "If something would happen to one of my brothers, I would never forgive myself. It would drive me crazy for the rest of my life."

At a memorial service for Justin held at Holmes High School in Covington, the mayor announced that on that July 4th, the city would dedicate the Justin Sims Memorial Park. It is the same park where Alma and her daughters would go every Sunday and write letters to Justin when he was at boot camp.

Our prayers are for the Sims family today after the loss of this dedicated marine. We are thinking of his wife Leah; his mother Alma; his father Beechie; his stepmother, Linda Gregory; his sisters Tia Bryars, Briana Bryars, Tiffani Sims, and Maliesa Jones; his grandmother, Mae Luster; and many other beloved family members and friends. Justin was predeceased by his grandfather, Coleman Luster.

Mr. President, Justin's mother Alma tells us:

I miss talking to him every day, but I believe God has a bigger job for him in heaven.

Those who knew Justin, whether as an ambitious boy in Covington or a dedicated warrior in Iraq, would surely agree. I want the Sims family to also know that this Senate celebrates the life of LCpl Justin D. Sims, and we honor his sacrifice on behalf of our Nation.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, I wish to respond to a couple of issues.

First, on the Federal Election Commission, I wish to underscore that we would have a functioning Federal Election Commission today if the Republicans had accepted our offer before Memorial Day. What was that offer? There was one that was held over, but we agreed to confirm the four FEC nominations before Memorial Day. The Republicans objected because they weren't ready with their new nominee. We offered assurance that the new nominee would be taken care of very quickly, and we have followed through on that. They rejected our offer. They wanted to wait until the new nominee came. We waited. Nevertheless, when the new nominee came, we waived a

hearing on a markup. And the reason we did that is that it was what we said we would do, even though they turned down a functioning Federal Election Commission—the Republicans. We said: OK, if that is what you want, a full FEC rather than those five, that is fine. We will go along with that. Now we have a Senator, Mr. President—which I think is very appropriate—wanting to talk to those nominees, and he has done that. There is one to go. That person is in Europe, and he will do that just as quickly as he can.

Again, I underscore the fact that we would have a fully functioning Federal Election Commission today if the Republicans had accepted our offer before Memorial Day. But we are where we are. We can do a lot of finger-pointing, but we are where we are.

We believe in the Federal Election Commission. I wish it were more powerful than it is. I wish it could do more than it does. But certainly we should do everything we can to give them the tools they need to function, and one of the things they need to function is members for the Federal Election Commission. Right now, there aren't any.

As I said, we will work very hard. I have talked to the Senator this morning to make sure that is the only problem he had, and he has said that is the only problem he has. With the time difference, it has been somewhat difficult to set up the phone call within the last 24 hours, but that will be done.

So, Mr. President, the Federal Election Commission will be taken care of within a matter of days, but the fact that it is not functioning now is not our fault.

Let me just say a couple of things about the comments regarding Senator OBAMA by my friend, the Republican leader.

It seems there is a lot of effort being made to divert the focus from the issues at hand. The issue at hand is that we offered on this floor a bill that would do something about gas prices. We have focused on the subsidies to big oil. And the subsidies are huge, costing the American people billions of dollars. We have focused on the fact that there is a bipartisan move in this body to do something about OPEC. That focus was brought by Senator KOHL of Wisconsin and Senator SPECTER of Pennsylvania. They believe very strongly that OPEC should be subject to the antitrust laws of this country. That is part of our legislation. We also said there should be a windfall profits tax, and we believe there should be something done with the speculation that is taking place. So we offered legislation to that effect, and the Republicans turned down even being able to debate that legislation.

In addition, we have now pending an issue that is extremely important. I think it is in the top one, two, or three issues facing America today; that is, renewable energy. Renewable energy. We have offered a reasonable piece of legislation to give a 6-year tax credit to solar—and there are other issues in

that legislation—that will radically change how we gather our energy. We are told that there are hundreds of thousands—not thousands or tens of thousands but hundreds of thousands—of jobs waiting to be funded. If this bill passed, that would take place forthwith. Would all 100,000 go to work today? No. But thousands of them would go to work within a matter of a month or two, and it would keep building.

We have before this body, as part of the record, about 400 companies that have signed on to our legislation. Virtually all the Fortune 500 companies—Fortune 400, whatever it is—have signed on to this and say this is the way to go.

What is the holdup of our legislation? It is the Republicans. What is the holdup, Mr. President? They have become addicted to red ink. It is as if they are addicted to one of the illegal drugs, but this is red ink. They are addicted to it.

When President Bush took office, the price of gasoline was \$1.46 a gallon. Now, in Las Vegas, it is \$4.47 a gallon. The average around the country is approaching \$4.10 a gallon.

The problem with our legislation, according to the Republicans, is that we want to pay for it. Oh, gee whiz. You mean we don't want to borrow more money to do something? No, we want to pay for it.

When President Bush took office, not only was the price of gasoline at \$1.46 a gallon, but there was a surplus over the next 10 years of about \$7 trillion. We are now approaching \$10 trillion in debt this country owes.

The so-called pay-fors for renewables on these tax extenders are—for example, we all know the abuses, what these companies have done offshore. There is one little island over there where there are 50,000 companies that are cheating the Federal Government, in my opinion. What we have done is said, OK, the hedge fund operators should not be able to use that as a way to hide their money and not pay taxes. Listen to this: The hedge fund operators agree. They say it is unfair: We agree with what the Democrats are trying to do, to pay for these renewables.

We have tried and will continue to try to focus attention on the fact that we have long-term needs and short-term needs because energy is a problem.

Let's talk about offshore. I was fortunate last night—I got home before 9 o'clock. As I was eating my little bowl of soup before going to bed, there was a wonderful program on television about offshore drilling. They had a map. On that map they showed all the places people and companies can drill right now, some 58 million acres. That is a lot of acres, 58 million acres. But they are not drilling there. They have made a decision not to drill. Not because there is no oil there, they have made a business judgment not to drill.

I would say this about the offshore: Our great country is so fortunate to

have all the natural resources that we do have, but one of the natural resources we do not have is oil. Counting ANWR and all the offshore potential, we have about 3 percent of the oil reserves in the world; 97 percent of the oil is someplace else. We cannot produce our way out of our problems. Can we do a better job of producing? Yes, I believe we can. We can get more out of that percentage.

Let's talk about offshore a little more. The President of the United States came out 2 days ago saying: I want Congress to do something about offshore drilling. Listen to that. With the sign of a pen he can do something about it himself. President Clinton, with an Executive order, took certain areas offshore so that we couldn't drill there. President Clinton did that. President Bush has the ability himself to change that with a signature. But he didn't do that, did he? No, because he worried about Jeb Bush, his brother, who is totally against offshore drilling. Why wouldn't he do this himself? Why would he pass the buck to us?

I realize Congress controls the ability to take care of a lot of the offshore stuff, as we did last year, allowing drilling on the gulf coast, offshore. We expanded that because we thought it was the right thing to do. President Bush and Republicans need not lecture us on energy. They are the ones who got us into the problem we have now.

I close by saying that JOHN MCCAIN is a person who is an expert on offshore drilling. Why? Because he has taken both positions. He said, until 2 days ago, we should not be able to drill offshore, and he switched his position—the ultimate flip-flop. The next thing I am waiting for him to do is—right now, the election in Alaska is tied between MCCAIN and OBAMA. One of the big reasons is JOHN MCCAIN is opposed to drilling in ANWR. I guess the people of Alaska expect Democrats to be opposed to it, but they don't expect Republicans to be opposed to it, and MCCAIN has been for a long time. Is he going to do one of his flip-flops on ANWR? Don't be surprised.

JOHN MCCAIN doesn't have the temperament to be President. He is wrong on the war, and he is wrong on the economy.

The ACTING PRESIDENT pro tempore. The Senator from Georgia is recognized.

Mr. CHAMBLISS. Mr. President, I would inquire as to what is the current business before the Senate?

The ACTING PRESIDENT pro tempore. The motion to concur in the House amendment is the current business.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent to temporarily set aside the pending amendment so that I may call up amendment No. 5008, which is filed at the desk.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. DODD. Mr. President, reserving the right to object, and I will object, I

want to explain to my colleagues who may come over, who are desirous of bringing up amendments also, Senator SANDERS has expressed a strong desire to have an amendment considered regarding LIHEAP, the Low-Income Home Energy Assistance Program. There is some difficulty with that. Obviously, there is some objection on the other side to that coming up.

Out of respect to Senator SANDERS, who could not be here this morning, I object to any effort to set aside the pending amendments before that matter is resolved.

I say that respectfully to the Senator from Georgia, as well as others who may come here to do exactly that. We will be moving forward on legislation. Today we will entertain debate and discussion on this bill but will be constrained from going forward in the absence of a larger agreement that would allow Senator SANDERS to bring up his amendment. So I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. CHAMBLISS. Mr. President, if I might respond quickly, it is unfortunate we are in this situation. I commend the chairman, as well as the ranking member, for coming up with a pretty good piece of legislation to address a critical issue. It is unfortunate because we are not allowed to move ahead with amendments, that we are stuck in this quagmire.

I know it is not the desire of the chairman to do anything other than move forward with amendments, amendments that are germane to the particular bill. Unfortunately, the amendment of the Senator is not germane to the pending business before the Senate. My amendment is. I think there are others who have amendments they want to bring up.

I know it is not the fault of the chairman we are not allowed to move forward, but I certainly hope that by the time we get back next week we can do so and take up amendments that are critically important to the issue at hand and that we can remove those amendments that are not germane because it is a very critical piece of legislation.

It is a good bill, and my amendment is a good amendment. I hope we are able to address it shortly.

The PRESIDING OFFICER (Ms. KLOBUCHAR). The Senator from Pennsylvania is recognized.

Mr. CASEY. Madam President, I wish to speak as in morning business. I ask consent to do that.

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

WORLD REFUGEE DAY

Mr. CASEY. Madam President, I rise today to recognize June 20 as World Refugee Day, a day designated by the United Nations General Assembly to highlight and celebrate the contribution of refugees throughout the world. World Refugee Day has evolved into an annual commemoration marked by a variety of events in over a hundred

countries, including in my home State of Pennsylvania.

I am proud to note that, since the mid-1970s, more than 100,000 refugees from more than 30 nations have made Pennsylvania their home, enriching the cultural diversity and strengthening the economy of the Commonwealth. Over time, most have succeeded in adjusting to life in Pennsylvania and the majority have naturalized as U.S. citizens and actively participate in local community life.

This day gives us an important opportunity to pause and appreciate the grave humanitarian situation refugees face worldwide. Forced to flee their homes and having lost everything, these people have immediate needs including shelter, food, safety, and protection. But they also have basic human rights—the right to seek asylum, the right not to be returned to a country where they fear persecution, the right to work, and the right to send their children safely to school.

Between 2001 and 2005, the international community witnessed a decline in the number of refugees worldwide. Unfortunately, this trend has reversed. By the end of 2007, there was a 115 percent increase over just 2 years in the number of refugees under the responsibility of the United Nations High Commission for Refugees—UNHCR. We are now talking about a staggering 11.4 million refugees worldwide. The number of internally displaced people worldwide is also up, from 24.4 million to 26 million.

Among refugees, Afghans and Iraqis account for nearly half of all refugees under UNHCR's care worldwide. Much of the increase in refugees in 2007 was a result of the volatile situation in Iraq. It has been 5 years since the fall of Baghdad, and Iraq and her neighbors are in the midst of a humanitarian crisis that threatens the stability of the Middle East.

Wherever one stands on the future of the U.S. combat presence in Iraq, we have a moral responsibility to those innocent Iraqis who have been driven from their homes and fear for their lives and their children's lives every day. Violence and sectarian conflict are an ever present reality in Iraq, driving away anywhere from one to two thousand Iraqis from their homes every day.

The numbers are sobering. One in five Iraqis have been displaced. The UNHCR estimates more than 4.7 million Iraqis have left their homes, many in dire need of humanitarian care. Of these, more than 2.7 million Iraqis are displaced internally, while more than 2 million have fled to neighboring states, particularly Syria and Jordan. In 2006, Iraqis became the leading nationality seeking asylum in Europe.

I witnessed firsthand the challenges facing Iraqi refugees last August when I spent time in Jordan meeting with United Nations and International Organization for Migration personnel. I can report that Iraqi refugees throughout

the region have become increasingly desperate and have nowhere to turn.

Since the beginning of the crisis, the Iraqi government has proven to be unwilling and unable to respond to the needs of vulnerable Iraqis. While the government has access to significant oil revenue, it is divided along sectarian lines and lacks both the institutional capacity and the political will to effectively address the growing crisis. Sectarian militia groups like the Mahdi Army are quickly filling this vacuum to provide services. The largest "humanitarian" organization in Iraq today is the Sadrist movement affiliated with anti-American Shiite cleric Muqtada al Sadr, whose programs provide shelter and food to hundreds of thousands of Shiites in Iraq.

The international community, including the United States, has been largely in denial over the magnitude of the humanitarian crisis. Until recently, the conversation was always dominated by talk of reconstruction and development rather than addressing the basic, urgent needs of ordinary Iraqis. The United Nations only just issued a common humanitarian appeal for Iraq.

Now, we here in the United States have a moral responsibility to do right by the millions of Iraqis who have been driven away from their homes, particularly for those who have risked their lives to assist our country.

In 2007, Congress agreed to provide resettlement benefits for special immigrants from Iraq and Afghanistan who helped the United States, helped us, and to increase from 500 to 5,000 the number of special immigrants from Iraq we will admit into this country. Both measures passed the Senate by unanimous votes.

The American people have responded with their customary generosity and caring spirit in welcoming these Iraqis into our Nation. I am proud to note that my home State of Pennsylvania has been a leader in helping to resettle our Iraqi allies. The city of Erie, PA, alone has resettled about 90 Iraqis during this fiscal year. But the overall progress in resettling our courageous Iraqi allies has been frustratingly slow due to Government bureaucracy and logjams. Along with colleagues from the Senate and the House, I sent a letter to President Bush today questioning the progress the administration is making on processing resettlement claims for Iraqis who have worked for us and whose lives have been placed in great danger as a result of such service for us.

There is also the larger issue of dealing with the millions of Iraqi refugees in the Middle East. Iraqi refugees are overwhelming the basic infrastructure of Iraq's neighbors, especially Jordan, Syria, and Lebanon, raising troubling concerns about the region's stability and shifting sectarian balances. As Refugee International notes, the Iraqi refugee crisis is essentially exporting Iraq's instability to its neighbors.

Beyond the obvious humanitarian and moral dimensions, this crisis has grave implications for our national security interests, our U.S. national security interests, in the Middle East.

It is time for us to acknowledge the humanitarian crisis in Iraq that is spilling over into neighboring countries. We must firmly demonstrate our commitment to resettling Iraqi refugees and working with other governments in the Middle East and in Europe to provide humanitarian assistance and support.

The Iraqi Government must accept responsibility to care for all—all of its citizens and the international assistance needed to improve its capacity to do so in a just manner.

Let me conclude by saying how impressed I am, as are all Americans, and I continue to be so impressed by our brave men and women who have served in Iraq and Afghanistan and have returned home to advocate that more be done to help Iraqis and those who are in Afghanistan who are at risk, particularly those who have risked their lives in service to the United States of America. Let us in Congress follow their example and keep fighting to help those in the world who are most in need. After all, that is the great legacy of this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

EXTENDING RENEWABLE ENERGY TAX CREDITS

Mr. ENSIGN. Madam President, I plan to ask for unanimous consent in a moment, but I would like to say a couple of words about what I am going to ask for.

We had a vote in the Senate on the renewable energy bill the last time we had the housing debate. That vote was 88 to 8 in favor of the Clean Energy Tax Stimulus amendment. This was the amendment that I offered with Senator CANTWELL and others. It included extensions of tax credits for solar, geothermal, fuel cells, wind, and many other forms of renewable energy. At a time when we are looking for more green energy in the United States, it is the right thing to do. This body spoke very strongly with an 88-to-8 vote. We rarely ever have votes like that around this place. I believe it is important for us to move forward with this important piece of legislation.

The Democrat majority has been attempting to deal with renewable energy tax credits on other bills. While I appreciate those efforts, we have to make sure this bill is actually signed into law. It was part of the housing bill last time. I believe the housing bill has the best chance of any major piece of legislation to become law this year.

The bottom line is, do we want the renewable tax credits extended and signed into law? I think this is the best vehicle we can possibly have to ensure that.

Right now, the Democrat majority has been bringing to the floor—as they did a few days ago—extenders legisla-

tion that has many objectionable items that the President said he would veto. All of the tax extenders, which both sides support, were coupled up with some very objectionable items, including a \$1.3 billion tax earmark. You know, we are talking about earmarks around this place; there is a \$1.3 billion tax earmark in that bill. There are also other very objectionable special interest projects and tax increases that are in that bill. For these reasons the President said he would veto it. These reasons are also why the Republican minority has been objecting to what the Democrats have been trying to do.

So I ask our colleagues, let's join together the way we did before in an 88-to-8 vote to extend the renewable tax credits. Let's bring more green energy to the United States. Let's bring more jobs to the United States. This is good economic policy. It is also good energy policy. We have already recognized that in the Senate. So let's join together again on this amendment, and allow this amendment to be voted on so that we can get this amendment signed into law this year.

I ask unanimous consent to temporarily set aside the pending amendment so that I may call up amendment No. 5020 which is filed at the desk.

The PRESIDING OFFICER. Is there objection?

Mr. DODD. Reserving the right to object, I will repeat what I said a moment ago. Senator SANDERS of Vermont is unavoidably absent this morning. He has wanted to bring up the low-income energy assistance program. While it is not germane, it is relevant, obviously, to the subject matter of the bill—home heating. But there is objection on the Republican side for that amendment to be considered. As a result, he is objecting to any unanimous consent request to lay aside the pending amendment. So there is a reason that I will momentarily object.

Let me also say for clarity that the very provision the Senator from Nevada has raised here, the renewable energy program, was part of the extender bill last week. Obviously, any bill like that is going to have pieces you like and pieces you don't like. I have rarely seen a piece of legislation around here that had the unanimous support of everyone. Nonetheless, we had an opportunity to deal with that piece of legislation, and because we couldn't get cloture on it, that was rejected by the Republican minority. They did not want that bill to come up, so we did not debate it at all. An opportunity to deal with the very provision that enjoyed such broad-based support could have been part of that and gone down to the President for his signature.

So on this bill here, while I have supported this proposal—it was part of the earlier housing bill—until we resolve the matter dealing with low-income energy assistance, then, at the request of the Senator from Vermont and the leadership here, I will object to any effort to set aside the pending amendments.

I object.

The PRESIDING OFFICER. Objection is heard.

Mr. ENSIGN. I am deeply disappointed. I think this is an important piece of legislation. I hope the Senator from Vermont, who is a cosponsor of the Clean Energy Tax Stimulus Act, will reconsider. There are serious objections to what he is trying to do, obviously, on this side. And I will say he does not have the kind of support that this amendment enjoys. This amendment was supported by a vote of 88 to 8 in the Senate. This is an amendment that should be allowed to go through. It should remain part of this bill. We should put away the partisan squabbling and get this bill done. I hope that while we are negotiating, we can make sure this amendment becomes part of the final bill.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. Madam President, I wish to take a few minutes, if I may, and sort of review the events of yesterday, a historic day here in many ways in that we were able to bring up a rather comprehensive housing proposal, thanks to the work of Senator SHELBY, my colleague from Alabama, the former chairman of the Banking Committee and my ranking member, along with 17 other members of the committee, Republican and Democrats, on a vote of 19 to 2 out of the Banking Committee, that brought forth the final piece of this housing package for the consideration of our colleagues.

I heard repeatedly mentioned yesterday that this was a large bill. It is. It is 660 or 670 pages. And the question was raised about how we had not had a chance to see this bill. I remind my colleagues that you have already voted for two-thirds of that bill because they are previous matters we have considered on two separate occasions, with some very minor, minor but significant changes, but not voluminous in their quantity. So the greater part of this legislation has already been examined and debated extensively on this floor. The remaining piece, the one that came out of the committee 19 to 2, was voted out of the committee about a month ago—a little more than a month ago—and has been the subject of significant reporting as to what it included. It is very similar, I might point out, to what was adopted by the other body. So this is a moment where we have had ample opportunity.

If you do not hear it on the floor, go back home and listen to your constituents talk about foreclosure problems. As I pointed out yesterday, we are now averaging 8,427 filings for foreclosure on a daily basis in the country. So every single day in this country, more than 8,000 people, between 8,000 and 9,000 people are in the process of losing their homes. There are 1.5 million of our fellow citizens who have already lost their homes over the last year or so, and with resets of adjustable rate mortgages coming in July, the esti-

mates are those numbers will explode even further. In fact, it is been reported by Credit Suisse and the Mortgage Bankers Association that as many as one out of every eight homes in America could be in foreclosure if we do not come up with some means by which we can address this issue.

The economic crisis we face in our country has at its heart the housing crisis, which has at its heart the foreclosure crisis. The problems are exacerbated, are expanded, obviously, by the rising costs of gasoline and health care, higher education, the fact that now more than 300,000 jobs in the last few weeks have been lost in this country, unemployment rates are rising, and inflation is beginning to creep up.

This issue of getting our Nation back on its feet economically, restoring confidence and optimism of the American people, particularly when it comes to the most important asset most Americans will ever have, which is their homes—nothing we can do is more important to the stability of our neighborhoods, our communities, and our families, than making it possible for people to be able to maintain and own their own homes.

That is the heart of what we are trying to do. That has been the effort over the last number of weeks, with the passage of two previous pieces of legislation and the adoption now, I hope, in the coming days, of this comprehensive bill.

Let me review the bidding, if I can, as to what is in this bill. And the efforts that were made yesterday to strip out all of this were soundly defeated by margins that we rarely see in a body such as this that is so equally divided, 51 to 49. But, again, thanks to the leadership of both Democrats and Republicans, the leadership of the majority leader, HARRY REID, as well as the cooperation of the minority leader, we were able to get to this bill, we were able to address these underlying questions and then vote overwhelmingly to reject the efforts that would have stripped this legislation of its heart.

We have a strong regulator in this legislation. This has been an effort which has been sought over the last 6 or 7 years. Yet we have been unable to deal with the problem of the government-sponsored enterprises, principally Fannie Mae and Freddie Mac, which are critical to the liquidity that is needed in our housing markets. Yet we also know that those institutions have been losing billions of dollars as a result of the housing crisis. A strong regulator is necessary and some additional reforms to make sure that these GSEs, these government-sponsored enterprises, particularly Fannie Mae and Freddie Mac, will be on a sound footing. This bill does that, and we were able to achieve that through the cooperation I mentioned a moment ago. That is absolutely essential if we are going to have any hopes at all of stabilizing the housing problems.

We establish in this bill a permanent affordable housing program, not a tem-

porary one, not for 1 or 2, 3 or 5 years, but a permanent affordable housing program.

I cited yesterday the statistics of the millions of Americans who are finding any kind of shelter further and further from their grasp economically. Today when you discover that you have people literally spending more than 50, 60, or 70 percent of their income on rental housing and, in some cases, when you talk about people who are disabled, the SSI payments, in fact, don't even equal the cost of the housing they are in today, we need to have a program that provides affordable shelter.

Decent, affordable shelter has never been a partisan issue. In fact, 60 years ago, the administration of Harry Truman brought together Democrats and Republicans in 1948 and insisted upon the issue of affordable shelter for all Americans. Over the years, Democrats and Republicans, conservatives, liberals, moderates have all worked together on this issue. As I was growing up, the man who was called Mr. Housing was a guy named John Sparkman, a Senator from Alabama, the same State as my ranking member from Alabama, Mr. SHELBY. John Sparkman was Mr. Housing.

Through the 1950s and 1960s, as a Member of this body, he fought year after year to see to it that we would have affordable, decent shelter for all Americans. We began to slip over the last 15 or 20 years, as fewer and fewer dollars are being invested in affordable shelter for Americans.

In this piece of legislation, as a result of the efforts of our colleague from Rhode Island, JACK REED, along with others, we now will have a permanent, affordable housing program in America that will not require any tax increases. The support of that program will come from the resources coming out of Fannie Mae and Freddie Mac, the GSEs. So for the first time in a long time, if ever, we will have a consistent and reliable source of support for decent, affordable shelter for Americans. That is a part of this bill.

The legislation also includes the HOPE for Homeowners Act. It will help at least 450,000 of our hard-working families save their homes. Again, this idea is not new. It was tried years ago, back in the 1920s and 1930s during the Great Depression, the last time, I might point out, that we had a significant housing crisis such as the one we are in today.

Back in those days, the Congress, working with Franklin Roosevelt, crafted a program that had the Federal Government actually purchase highly distressed, troubled mortgages and then put those families back on their feet by a fixed-rate mortgage they could afford. That program actually produced a surplus for the American Government of some \$16 million. We don't have a program like that, but it is similar. Instead of actually purchasing distressed mortgages, we are insuring them by insisting that the

lender reduce the amount they are asking for and settle on a fixed-rate cost that the borrower can afford. Therefore, the lender does not lose everything. It costs them in order to take this arrangement, but the borrower also gets to stay in their home, and they end up paying that insurance and also contributing back to the cost of the program.

The Congressional Budget Office has examined this idea which is temporary, voluntary; you don't have to be in it if you don't want to. We are trying to create a structure to allow people to end up with a mortgage they can afford and, for lenders who worry about losing everything, an opportunity to get something back out of this rather than losing all their resources. It is estimated by the Congressional Budget Office that this program could actually save American taxpayers \$250 million. That is their estimate of what we may actually have coming back as a result of this effort.

This has been a bipartisan proposal—a bicameral one, for that matter. The House has adopted a very similar program in their bill. There was an effort to strip this program out of the bill yesterday. Our colleagues voted 77 to 11 to reject such an effort. We don't get votes like that often, but I commend my colleagues, Democrats and Republicans, for sticking with an idea that was recommended to us by a broad consensus on the political spectrum. So it was very important. We had strong votes yesterday for the regulatory reform for GSEs. The effort to strip out the affordable housing program was soundly defeated as well. The amendment relative to the HOPE for Homeowners Act was also resoundingly defeated.

We are on the brink of adopting the most comprehensive piece of housing legislation in a long time, and it is not coming any too soon either. As I have reported, when you have more than 8,000 people every day slipping into foreclosure, with already a million and a half, and some estimates are those numbers will explode in the coming weeks and months, it is a timely decision for Congress to do everything we can to restore confidence and optimism, to keep people in their homes, and to get our economy back on a sound footing. We will not do that in the absence of dealing with the housing crisis.

Again, I commend my colleague from Alabama. I thank him immensely for his work. I thank the leadership, principally our majority leader, for making it possible for us to get to this moment where we could adopt this legislation. My hope is that the other body, the House of Representatives, will consider what we have done, how difficult it is, and how precariously close we have come to having this matter blow up on us on at least several occasions in the last several days. We need to send this package to the President for his signature. He is threatening a veto. I hope

he doesn't do that. It would be a great tragedy to have the President decide to veto this legislation.

I am told the reason he wants to veto it is because we include money for the Community Development Block Grant Program, some \$3.9 billion. That is an emergency effort. The reason we have that is because our mayors, county supervisors, and Governors already have foreclosed properties, many of them in their communities. These moneys are exclusively to be used for the rehabilitation of these homes so they can be resold, to make them more attractive and available so we can revitalize neighborhoods that have been affected by foreclosure.

I have pointed out on many occasions in the past while debating these bills, if you end up with one foreclosure on a city block, the value of every other home on that block declines immediately by more than 1 percent. Crime rates go up by at least 2 percent in those neighborhoods. You start losing value in other homes, even if they are not on the market. We know today we have some 15 million homes where the debt exceeds the equity. Despite efforts over the years to increase that equity, to become part of retirement and deal with a family crisis, such as a higher education cost, many families now are living in homes where the debt on the mortgage exceeds the value of the house. That is an unhealthy situation. We need to do everything we can by cleaning up where foreclosed properties exist and getting them back on the market.

Let me commend Senator BAUCUS of Montana and Senator GRASSLEY of Iowa, chair and ranking member of the Finance Committee, the tax-writing committee. Part of this bill includes provisions to deal with mortgage revenue bonds, to deal with a tax incentive approach to take foreclosed properties and encourage homeowners who would move into them to buy them. We need to do everything we can to allow this market to get back on its feet and moving.

That is a quick brief of what this bill includes. Again, it is a very good piece of legislation. It is not perfect. If I were writing it myself, it would look different, as I am sure it would if each Member could write the bill. But we serve in a body of 100 Members. We must work with a body that has 435 Members down the hall. Of course, we must work with the White House. That is how our system works. You don't get to write these things on your own. You have to work with people with whom you may have fundamental disagreements in order to resolve those disagreements, to find common ground, and then craft ideas that can make a difference for the American people who depend upon us.

That is what we have done with this bill. It is a sound, reliable, strong piece of legislation that will make a difference for the American people and, particularly, families fearing they may

lose the most important and valuable asset they will ever have, the family home. What a difference it can make to a family to have that house in which to raise their family and feel secure that the home they are living in and raising their children in will be theirs and not be lost through foreclosure.

We are hopeful this legislation will be adopted in the early part of next week, and the President will sign it into law. What a greater gift on Independence Day, as we break for a week to go back to our respective States, than to have the President sign into law a piece of legislation that would allow the American people to enjoy a certain amount of independence as well in living in their homes without fear of foreclosure.

I urge my colleagues to continue to be supportive of this effort, and I thank those who have been responsible for bringing us to this point.

MORNING BUSINESS

Mr. DODD. I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

Mr. DODD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. 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.

OIL MARKET SPECULATORS

Mr. DORGAN. Mr. President, this morning, watching television as I was getting ready to come to work, I heard a news report about how much less Americans were driving. I believe they said 4.5 billion fewer miles driven in our country in April, although it may have been January through April. I am trying to get that. But the New York Times yesterday had the same thing. It says: "Driving Less: Americans Finally React to the Sting of Gas Prices." It described that in April of 2008, compared with the same month 1 year ago, Americans drove 1.8 percent fewer miles on public roads. So round it up. Americans drove 2 percent less in April, and presumably they used 2 percent less gasoline than 1 year ago.

If that is the case, that gas prices are up so Americans are driving less and using less gasoline—then demand is down, isn't it?

Well, demand is down—and we know that; it doesn't have to be confirmed by the New York Times yesterday. Demand is down. When gas goes to \$4, people are wondering how on Earth do I pull up to the gas pump and afford to fill the tank? I had a tribal chairman come to the Senate yesterday. He described a mother who was driving her

daughter, who had threatened to commit suicide, to see a doctor. But the mother didn't have money or enough gas in the car to get back home, so she came to see the tribal chairman of this particular Indian tribe to try to get some money to put some gas in the tank to be able to drive home after driving her daughter to the doctor.

We know these stories. A lot of people can't afford this, so they are driving less. So if demand is down, then why are gasoline prices staying up?

Four of the first 5 months of this year, we have seen increases in crude oil inventories. Let me say that again: Crude oil inventory supplies in this country have increased 4 of the last 5 months. So if supplies are up, and demand is down, what justifies a continued increase in the price of oil? It is not justified. It is unbelievable speculation in the commodities markets.

I want to talk about that for a moment today. But I want to also note that in the Washington Post this morning, Steven Pearlstein had an article. It says: "On Energy: Same-Old, Same-Old." And he is right about that. Same old thing, isn't it, on energy?

We can't live without energy. The fact is, we get up in the morning and flip a switch and the light goes on. We plug something in and our razor works. We get in the car, turn the key, and we can drive. We take energy completely for granted, and yet we are prodigious users of energy.

But we have a problem: Part of the problem is that divine providence, apparently, ended up putting most of the oil under the sands way on the other side of the planet and most of the demand is here. So we stick straws in this planet of ours and suck oil out every day. Eighty-five million barrels of oil every day we suck out of this Earth, and one-fourth is destined to be used in this little spot called the United States. We use a quarter of the oil every single day that is produced in this world.

That is pretty unbelievable when you think about it. So we have big problems. We use a quarter of the oil, and much of it is produced elsewhere—Saudi Arabia, Kuwait, Iraq, and Venezuela—in troubled parts of the world. We need to be less dependent on finding oil from off our shores, which means we need to be more diligent in finding ways to produce more here.

But it is not just producing oil, however. There are a lot of ways to produce energy. My colleagues on the other side, who have spent the last several days in this Chamber saying we have to drill here and drill there; that the only way you produce is to drill a hole someplace. Well, I know people like this. They are the dig-and-drill type. I call them "yesterday forever." Digging and drilling, that is the only way they think you can produce energy.

What about planting a crop in a farm field and producing ethanol? What about putting up a wind turbine and producing electricity by taking the en-

ergy from the air? What about solar? What about biomass? There is so much more we can and should do with respect to the production of energy.

I will talk about that some more, but I want to come back to this issue of speculation. Right now, the price of gas is killing us. We have, I think, 12 airlines that have gone bankrupt in recent weeks and months. We have a whole lot of trucking companies that are now out of business because they cannot afford to continue to operate by paying current diesel prices to fill their trucks. We have farmers who can't figure out how they are going to order a load of fuel for spring's work and summer's work because it costs too much. We have a lot of families driving up to a gas pump and putting in only five gallons because they can't possibly afford to fill the tank.

What is causing all that? Well, we have what is called a commodities market that has now been infested with hedge funds and investment banks. Investment banks, for the first time in history, and in recent years, are in this commodity market speculating. They have actually purchased storage capacity in order to take oil off the market. That is not a particularly good way to bring down prices, is it? But that is not the interest of some of these speculators. They think increasing the price is fine. It is exactly what they want.

Will Rogers described all this years ago. He described people who buy things they will never get from people who never had it, making money on both sides. It wouldn't matter so much if the speculation on a commodity isn't so essential to this country. There is unbelievable speculation on oil and gas prices in this country, particularly oil prices at this point, that is damaging our economy. It is damaging our country, it hurts American truckers, farmers, and others, and we need to do something about it.

Now, the question is, what? I am going to hold a hearing next week. I chair the subcommittee that funds the Department of Energy, among other things, and it funds the Energy Information Administration. That is the agency we pay in the Department of Energy to tell us what they know about energy. This is not a policy group, but we spend a lot of money on the EIA. If somebody is talking about energy and giving you some analysis about energy statistics, it is probably the Energy Information Administration, run by Mr. Caruso. Mr. Caruso is going to testify before my subcommittee this coming week.

But I want to show you this chart. I am not showing this to demonstrate that the EIA is incompetent. That is not my allegation here. However, I wanted to show you what the Energy Information Administration has estimated each month, because they estimate what the price of oil is going to be. Nobody knows, so EIA makes the best estimate they can, because they

have the best people and the experts. So here is what they have estimated.

By the way, this red line is the actual price, okay? Go back here in May 2007, and they estimated the price of gasoline was to be about here. In July 2007, they said here is where we think the price will be. In September of 2007, here is where we think the price is going to be. In November 2007, we think the price will go down, actually. In January 2008, the price is going to go down. March 2008, it is going to go down, and in April, it is going to go down.

Here is what actually happened. Oil prices went straight up, like a Roman candle. So the best people we have in the agency instructed to do this analysis say, here is our estimate of oil prices—and the fundamentals of the marketplace should reflect supply and demand. I assume they probably thought people were going to drive a little less as prices went up so that we would have more conservation. But they said, we think we are going to be okay on supply and have a little less demand and prices will moderate. Instead, prices went like this.

How can we be so wrong for so long? That is the question, I guess, for next week. But I have had a chance to ask the head of this agency at a previous hearing whether there is some speculation here. My notion is this is an unbelievable orgy of speculation, and that is what is happening to this market. The market is broken, doesn't work, it is full of speculators, and they are interested in driving up the price. They do not give a rip about the damage to the economy. But the answer from the EIA was, well, a little bit of speculation, but, you know, not very much. It was kind of a two-step shuffle with your hands in your pockets, ruminating. Wearing a gray sweater and smoking a pipe and ruminating: Well, maybe a little speculation.

You know what? I think the truth is—and this chart with these lines demonstrates how wrong we have been for so long—that there is a massive amount of speculation here. There are plenty of experts around who say this market is like a casino, open 24/7.

Now, what does it matter? Well, what matters is this is doing unbelievable damage to our economy and to our country. I would understand it—I wouldn't accept it, but I would understand it, if at least the supply and demand relationship here justified an increase in price, but it does not. Refineries in this country in recent months have actually cut back in their capacity because they have had too much inventory out there. Drivers are driving less, crude stocks in 4 of the first 5 months have been up, yet the price of oil continues to rise.

Now, the large oil companies that are going to the bank depositing our money have a permanent grin. They can't stop smiling. The Saudis and the OPEC countries can't stop smiling either because they are contributing

even more of our money to their bank accounts. This is not bad for everybody. This is good for some. It is just bad for most of the American people and bad for the economy of this country.

I believe that speculation is rampant and the regulatory authorities, the people who are supposed to wear the striped shirts and call the fouls, the Commodity Futures Trading Commission are largely doing nothing about it except for the last couple of weeks when someone has, apparently, lit their fuse or when the Chairman had some sort of epiphany overnight and said it looks as if we ought to start investigating this. The Chairman of the regulatory body has said repeatedly now, for many months: It is just the fundamentals, there are no problems here, the market is working fine, just fine. He said it last July, he said it in January, he said it in February, he said it in May, be happy, there is no problem here. The fundamentals of the oil markets are working just fine.

Then, all of a sudden, we had a kind of tipping point. The Chairman of the Commodity Futures Trading Commission said: There might be something wrong. We are going to look at it. And oh, by the way, we have been looking at it for 7 months.

It is a little confusing to me and I expect to the American people. Either the fundamentals were not right, or they were, back when he was assuring the American people everything was fine.

Having said all of that, it is pretty clear to me what is going on here. We have a dramatic amount of speculation, a bunch of big interests running up the price of oil on the commodities market—hedge funds, investment banks, and others—speculating, purely speculating in these oil markets.

I am going to introduce some legislation next week that addresses that subject. It will be the End Oil Speculation Act. It will require the Commodity Futures Trading Commission, which has largely been asleep at the switch, to use the authority it has to do what is necessary to separate legitimate trading for hedging purposes on the commodities market for oil from trading that is purely speculative. It will increase the margin requirement on trading that is purely speculative. It will do a number of other things that respond to the need to say: We believe this market should work. We think this market is necessary. But when a market is broken, the U.S. Congress has a responsibility to address it.

My legislation will have time requirements and will make certain that the Commodity Futures Trading Commission takes the action that is necessary to wring the speculation out of these markets. I will introduce that early next week.

I do want to say with respect to the Stephen Pearlstein article that I think he has it right—"same old, same old." He said: Somebody brings up offshore

drilling, and immediately some say "no," others say "yes," some say "there," others say "nowhere." Should we do some offshore drilling? Sure. I supported offshore drilling in the Gulf of Mexico. I was one of four Senators who constructed the legislation that is now law that opens what was called lease 181. Substantial oil and natural gas are there. We ought to open much more of that on the eastern Gulf of Mexico. That is where the highest potential of recoverable oil is, in the Gulf of Mexico. We can do that safely.

The fact is, you need to do much more. We are not going to drill our way out of this problem. We need much more renewable energy and more conservation. By far, the lowest hanging fruit in the energy issue would be to retrofit all buildings in America. The Mackenzie study says that is the quickest and easiest way to achieve substantial savings in energy. There is so much to do and so much available to us in renewable energy, in conservation, efficiency, and also the other elements that come together outside of just drilling and digging.

I support some drilling and I support some digging. But that is not a policy, it is just a chant to say: Let's keep doing what we have been doing. That has driven us into a ditch. We want to get out of the ditch. We don't want to make the ditch deeper.

I am going to be introducing legislation next week to address this problem of speculation. My hope is that all those who believe, as I do, that this market is not working right will support this effort. When you have an increase in supply of oil and you have a decrease in demand, you would expect that prices would begin going down, not continue to go up on a steep path. This market is broken, and I believe Congress has a responsibility to fix it. That is what I hope my colleagues and I will be able to do beginning next week.

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

The PRESIDING OFFICER (Mr. CASEY). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

SOLICITOR GENERAL PAUL CLEMENT

Mr. HATCH. Mr. President, I rise to pay tribute to the service of Paul Clement, who recently stepped down as our Nation's 43rd Solicitor General.

Paul served in that office for more than 7 years, first as Principal Deputy to Solicitor General Ted Olson, then as Acting Solicitor General, and for three years as Solicitor General. He is a good man and an excellent lawyer who was a great Solicitor General.

Before speaking about Paul, let me first say a few words about the office in which he served.

Congress created the Department of Justice and the position of Solicitor General in 1870. Since then, the Solicitor General is the only Federal Government officer actually required by statute to be "learned in the law."

As Paul put it during his confirmation hearing in April 2005, the Solicitor General sits literally at the crossroads of the separation of powers. He is an executive branch official who defends the actions of the executive and legislative branches before the judicial branch.

Today, the Solicitor General represents the United States before the Supreme Court and manages the United States' participation in thousands of lower court cases. That means he must make decisions in individual cases with reference to past positions taken by the United States and vigilance about how current positions may affect the future.

Such a constant, and constantly changing, set of factors makes the Solicitor General's job something like the courtroom version of multi-dimensional chess.

Because of his special relationship with the Supreme Court, the Solicitor General is often referred to as the Tenth Justice. Because of its astounding breadth and depth of experience and expertise, the Solicitor General's office has been called the best law firm in America.

Paul Clement stands in a line of Solicitors General that includes some of the true giants in the law and in the service of our country.

They include many who also served on the federal bench such as Supreme Court Chief Justices William Howard Taft and Charles Evans Hughes; Associate Justices Stanley Reed, Robert Jackson, and Thurgood Marshall; and Circuit Judges Kenneth Starr, Wade McCree, and Walter Cummings.

They include some of America's most distinguished legal academics such as Walter Dellinger, the Maggs Professor of Law at Duke; the late Erwin Griswold, dean of Harvard Law School for 31 years; and the late Rex Lee, from my own State of Utah, who was the founding dean of the J. Reuben Clark School of Law at Brigham Young University.

Past Solicitors General also include those who would distinguish themselves in both the academic and judicial worlds such as Charles Fried, who has taught at Harvard Law School since 1961 and served on the Supreme Judicial Court of Massachusetts; and Robert Bork, who was the Bickel Professor of Public Law at Yale and served on the U.S. Court of Appeals for the D.C. Circuit.

Like Paul Clement, current Chief Justice John Roberts served as Principal Deputy Solicitor General.

Paul deserves to stand among such legends.

A native of Cedarburg, WI, Paul graduated from the Cedarburg public schools and went on to receive a bachelor's degree summa cum laude from

the Georgetown University School of Foreign Service and a master's degree with distinction from Cambridge University.

He then gave Harvard Law School a try and, sure enough, graduated from there magna cum laude after serving as Supreme Court editor of the Harvard Law Review to boot.

With that record, it is not surprising that he had the opportunity to clerk for truly great judges such as Judge Laurence Silberman on the U.S. Court of Appeals for the D.C. Circuit, who recently received the Presidential Medal of Freedom, and Supreme Court Justice Antonin Scalia.

After a few years in private practice, Paul joined the United States Senate family as Chief Counsel of the Judiciary Subcommittee on the Constitution, Federalism, and Property Rights, chaired by our former colleague and former Attorney General John Ashcroft.

I chaired the Judiciary Committee at the time and remember Paul not only as a smart and hardworking lawyer but as a thoughtful, humble, and truly decent person.

It is easy to find someone with either professional talents or personal qualities, but a rare gift to have someone like Paul who has both.

After leaving the Senate, Paul returned to private practice and headed the appellate practice group of the distinguished law firm of King & Spalding before joining the Solicitor General's office. A far less impressive record spread over a lifetime would suffice for most, but Paul does not achieve the ripe old age of 42 until next week.

Three members of this body have been serving here since before Paul Clement was born. Why, the Senator from West Virginia, Mr. BYRD, was in his second term when young Paul came into the world.

The Senator from Paul's home State of Wisconsin, Mr. FEINGOLD, my colleague on both the Judiciary and Intelligence Committees, introduced and praised Paul at his confirmation hearing. He noted that Paul would be the youngest Solicitor General in more than 50 years and one of the youngest in American history.

I do not want to belabor the point, but as I become a more seasoned citizen myself, I am impressed with how much some of these young people can accomplish.

Oh, I forgot one item on Paul's jam-packed résumé. Last September, Paul squeezed in a full 24 hours of service as Acting Attorney General. Fittingly, that was on September 17, which is the anniversary of both the Constitution's signing and the confirmation of Paul's former boss Justice Scalia to the Supreme Court.

Paul has argued a total of 49 cases before the Supreme Court. I should perhaps say that he has so far argued 49 cases, as Paul may well return to the

Supreme Court podium in the future. It is the tradition and commitment of the Solicitor General to defend acts of Congress if there is a reasonable argument to do so.

No one can turn a merely reasonable argument into a compelling argument better than Paul Clement. Many who have seen him argue remark that though he speaks without notes, he has an astounding command of the facts and the law in each case.

He has vigorously defended the legislation we have enacted on a wide range of issues, from the McCain-Feingold campaign finance law and the ban on partial-birth abortion to the Solomon Amendment and the Americans with Disabilities Act.

I would be surprised if any of my colleagues voted for every piece of legislation Paul has defended before the Supreme Court. I know I have not.

But in every case, Paul upheld the highest standards of his office by diligently defending the work of the legislative branch.

And while each Solicitor General faces unique challenges and special cases, Paul's tenure coincided with the war on terror that we continue to fight.

He has confronted not only novel, complex, and serious legal issues, but he has borne the burden of knowing that his efforts will dramatically affect American lives, and indeed the American way of life itself.

Paul's combination of experience allowed him to do some truly unique things as Solicitor General. When he earlier served on the Judiciary Committee staff, for example, Paul worked hard on the development and passage of the Religious Land Use and Institutionalized Persons Act.

I introduced that legislation after the Supreme Court struck down previous efforts to protect religious liberty. The Senate unanimously passed the bill.

Then in 2005, as Solicitor General, Paul defended the constitutionality of that law and the Supreme Court unanimously upheld it.

And in the case now before the Supreme Court regarding the District of Columbia's ban on firearm possession, Paul argued before the Justice for whom he clerked regarding the opinion of the Circuit Judge for whom he clerked.

Some who have compiled such an amazing resume have taken much longer to do so. Some who have done so quickly are, quite frankly, not nearly so decent and kind as Paul Clement.

He and his wife Alexandra have three wonderful children, Thomas Antonio, Theodore Gerald, otherwise known as Theo, and the youngest, Paul Gregory. The little one, called P.G., made his presence known at the opening of Paul's confirmation hearing. Youngsters are known to do that.

We all remember Chief Justice Roberts' son Jack doing the dance of joy

when his father was sworn in at the White House. At his hearing, Paul noted that he and his wife had promised the boys Yugioh cards in what he said would be direct proportion to how well they behaved that morning. I thought the boys did quite well that day and hope they were duly rewarded.

I was also touched at that hearing when Paul talked about his wife and her role in supporting his work. He said: "Every day that she allows me to practice law outside the home while she stays home with our three boys is a personal sacrifice and an indulgence of my interests, for which I am eternally grateful."

I am not the only one to recognize Paul Clement as a very good man and a very good lawyer or to applaud his service to our country.

I ask unanimous consent to place in the RECORD following my remarks letters sent to me by former Solicitors General Ted Olson and Seth Waxman, the current Deputy Attorney General Mark Filip and his predecessor Paul McNulty, former Attorney General Edwin Meese, former Senator John Ashcroft, Judge Laurence Silberman, and Justice Antonin Scalia.

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

(See exhibit 1.)

I want to highlight a few comments from a few of these letters.

Former Solicitor General Ted Olson, for example, wrote to me that "I have been continuously impressed by his unfailing dedication and talent. I cannot imagine a more productive, honorable and distinguished record of exceptional government service. . . . General Clement has also been an outstanding steward of the office of the Solicitor General throughout his 7 years of government service. . . . He leaves this fine office in superb condition, fully staffed and in the hands of lawyers dedicated to carry on the work of the Solicitor General."

Deputy Attorney General Mark Filip attended Harvard Law School with Paul and together they clerked for Justice Scalia. He writes: "The respect and praise for Mr. Clement is the product of his unique talents and work ethic. He is exceptionally bright, and he is a gifted oral advocate. He is also intellectually honest and open-minded . . . Paul is a fundamentally decent person, and a true patriot, and the Department of Justice and Nation are decidedly better because of his public service."

And Justice Scalia wrote to me this way: "when it was rumored that Paul Clement was under consideration to fill the vacancy in the office of Solicitor General, the Court (and I speak here of a 9-0 judgment) was delighted. It was the consensus, based on Mr. Clement's

appearances before us over the preceding few years, that the President could not make a better choice. We have not been disappointed in our expectation. For the past 7 years, General Clement could be relied upon to assure that the Government's case was presented forcefully but fairly, without exaggeration or obfuscation. The Government did not always win, of course, because sometimes its case was a weak one; but the Office of Solicitor General said for it the best that could be said. I take special pride in passing along this praise, since as you know Paul was once a law clerk of mine and has remained a good friend."

This is certainly high praise and I share all of it.

But Paul Clement is no ordinary super-lawyer.

Last year, a profile in the Wall Street Journal noted Paul's credentials and brilliance but also revealed that he is a fan of alternative rock music, with his favorite band the grunge group Nirvana.

The Journal speculated that Paul is the first Solicitor General to frequent the 9:30 Club, described as Washington's alternative rock outpost.

A writer on the Wall Street Journals blog offered this simple yet profound assessment, which I also share:

Paul Clement rocks.

I understand that Paul will be staying in the Washington area, returning to teach law at Georgetown and serving as a fellow at the Supreme Court Institute.

Both institutions and the people they serve are truly blessed to have him.

Already in his young life, Paul Clement has touched many lives and made America better.

I understand that Paul and his family are today doing some well-deserved traveling abroad.

I join so many others in thanking him for his service to America and in offering my prayers for him and his family in their lives ahead.

This is an exceptional human being. He is a great man. At his tender age, he has been a great Solicitor General by all measures. Whether you are a Democrat or Republican, you have to acknowledge that. He has served this country well and faithfully. I value his friendship. I value him as a human being.

On behalf of, I think, every member of the Judiciary Committee and others who knew him, we wish Paul the absolute best. We know he will be giving a great deal of knowledge to those young students and others who will learn from him.

I am grateful to know him. I am grateful I have had the privilege of working with him. I am grateful I have been able to watch his career as he served in the Solicitor General's office. I am grateful this young man has reached the heights he has reached because he deserves it. He is a terrific human being, and we all know that.

I yield the floor.

EXHIBIT 1

GIBSON, DUNN & CRUTCHER LLP,
Washington, DC, June 3, 2008.

Re Solicitor General Paul D. Clement

Hon. ORRIN G. HATCH,
U.S. Senate,
Washington, DC,

DEAR SENATOR HATCH: I understand that you will be offering a Senate tribute to retiring Solicitor General Paul D. Clement. You are very kind to do this, and I wanted to take the opportunity to add my praise to the many plaudits that I am sure you have received from others for the outstanding and dedicated service Solicitor General Clement has rendered to the Government of the U.S. and to the people of this Nation during his 7 years as Deputy Solicitor General and Solicitor General.

As you know, General Clement served as my Principal Deputy in the Solicitor General's office from 2001 until 2004. As a result, I was able to observe, on a daily basis, his extraordinary talents and dedicated service in the Department of Justice. I also stayed in close touch with his work in the years since I left the office in 2004. I have been continuously impressed by his unfailing dedication and talent. I cannot imagine a more productive, honorable and distinguished record of exceptional government service.

General Clement is and has been a superb advocate for the United States before the United States Supreme Court. I personally observed many of his forty-nine arguments before the Court and I am familiar with many of the arguments that I did not witness. His preparation for and delivery of arguments to the Court have invariably been superb. His analysis has been meticulous and insightful, his oral advocacy honest, clear and forthright, and he is eloquent and persuasive in Court. Many of his arguments have involved defending the constitutionality of acts of Congress. Congress could not possibly have had a better advocate. He repeatedly and consistently earned the respect, admiration and appreciation of the Justices.

Another part of General Clement's service was managing the appellate practice of the lawyers of the United States in the federal courts. He has worked diligently and conscientiously to insure that the interests of the United States were well served in determining whether to appeal decisions adverse to the United States and to intervene in cases where the interest of the United States required it. The quality of that advocacy has been clear, fair, and consistently of the highest caliber. In developing the position of the United States, he has thoughtfully and painstakingly listened to and helped articulate the views of the Government agencies that he has represented, never overlooking the fact that the people of this Nation were his ultimate clients.

General Clement has also been an outstanding steward of the Office of the Solicitor General throughout his 7 years of government service. He has encouraged, supported and guided the exceptional career attorneys and staff members of the Office of the Solicitor General. He leaves this fine office in superb condition, fully staffed and in the hands of lawyers dedicated to carry on the work of the Solicitor General.

Solicitor General Clement is a paradigmatic example of unselfish government service. He has earned the respect and gratitude of all citizens.

Thank you for expressing the Nation's appreciation and thanks to General Clement for his outstanding personal and professional service as Solicitor General of the United States.

Very truly yours,

THEODORE B. OLSON.

Washington, DC, June 2, 2008.

Hon. ORRIN HATCH,
U.S. Senate,
Washington, DC.

DEAR SENATOR HATCH: I'm delighted to add my voice to the chorus applauding Paul Clement's tenure as Solicitor General of the United States. Throughout, Paul conducted himself before the Court in the very finest traditions of the office. I'm delighted that he plans (for now at least) to remain close by, and I look forward to many happy years of continued professional association with this fine lawyer.

Yours sincerely,

SETH P. WAXMAN.

OFFICE OF THE
DEPUTY ATTORNEY GENERAL,
Washington, DC, June 2, 2008.

Hon. ORRIN HATCH,
U.S. Senate,
Washington, DC.

DEAR SENATOR HATCH: In June 2008, Paul Clement completed his tenure at the Justice Department as one of the most distinguished Solicitor Generals in United States history. Mr. Clement leaves the Justice Department with the respect and admiration of a vast group of people within the Department, within the ranks of present and former members of the federal judiciary, and among members of the private bar. The breadth of this group of people—from both sides of the political aisle, from across the spectrum of the federal judiciary, and from his former litigation colleagues and adversaries alike—is decidedly uncommon in our present legal culture. The range of respect for Mr. Clement is even more impressive when one realizes that he has litigated the most high profile cases, concerning the most sensitive issues, before the U.S. Supreme Court over the last seven plus years.

The respect and praise for Mr. Clement is the product of his unique talents and work ethic. He is exceptionally bright, and he is a gifted oral advocate. He is also intellectually honest and open-minded. I regard the year I spent clerking with him for Justice Scalia as one of the true good fortunes of my professional career. Paul is a fundamentally decent person, and a true patriot, and the Department of Justice and Nation are decidedly better because of his public service. Thank you very much, Senator Hatch, for appropriately recognizing his contribution.

Very truly yours,

MARK FILIP,
Deputy Attorney General.

BAKER & MCKENZIE, LLP,
Washington, DC, June 6, 2008.

Hon. ORRIN G. HATCH,
U.S. Senate,
Washington, DC.

DEAR SENATOR HATCH: Thank you for the honor to participate in paying tribute to the outstanding service of Paul Clement, former Solicitor General of the United States. I was privileged to be Paul's colleague at the Department of Justice for six years, and I consider him to be one of our country's finest public servants.

Since the horrific attacks on America on September 11, 2001, our nation has faced the unprecedented challenge of preventing another devastating attack by a largely invisible enemy. This effort has placed an especially heavy burden on our military and law enforcement agencies. It has also presented us with a set of extremely difficult legal issues as we work to protect American lives while remaining faithful to the rule of law. No one in the United States has done more to find the best answers to these complex questions than Paul Clement. At a time

when our country needed its best and brightest to step forward and serve, Paul Clement was an answer to the prayers of millions of Americans who earnestly hoped for capable leaders in this historic hour.

When I served as United States Attorney in the Eastern District of Virginia, I witnessed his superb argument before the Fourth Circuit Court of Appeals in the prosecution of convicted terrorist Zaccarias Moussaoui and his excellent judgment and advocacy in the litigation arising from the detention of Yaser Hamdi. Paul's approach was never combative and "win at all costs". Rather, he calmly, respectfully, and brilliantly worked through the issues presented in these cases to find answers that were consistent with the letter and spirit of the U.S. Constitution. Later, when I served as Deputy Attorney General, I again had the benefit of Paul's wise counsel and a better seat from which to observe his integrity in action. When Paul was asked where he thought the Supreme Court would go in a particular case, he offered only clear and honest assessments with the utmost respect for every person and perspective. It is no small irony that at a time so marked by emotion-filled arguments and about constitutional fidelity in the war against terrorism, our nation's top advocate for the government has been a man of unflinching civility and intellectual integrity who cares far more about the Court getting it right than his own scorecard of success.

As Paul now enters a new phase in his extraordinary legal career, I wish this man of faith and devotion to family all the best. I also hope that some day, once again, he will be the answer to America's prayer for a devoted public servant in a time a great need.

Senator Hatch, I greatly appreciate your support for Paul, the Department of Justice, and your many years of leadership in the United States Senate.

Respectfully yours,

PAUL J. McNULTY,
Former Deputy Attorney General.

THE HERITAGE FOUNDATION,
Washington, DC, June 10, 2008.

Re Paul Clement

Hon. ORRIN HATCH,
U.S. Senate,
Washington, DC.

DEAR SENATOR HATCH: It is a pleasure to join you in recognizing the excellent work of Paul Clement as Solicitor General of the United States.

Having served as Attorney General, I know of the importance of his position as the key official responsible for all the appellate work done on behalf of the people of this Country. The Department of Justice has an enviable record of high quality legal appellate work, thanks to a succession of fine Solicitors General. Paul has continued that tradition and has provided the personal leadership and professional competence which has won the acclaim of the Justices of the Supreme Court as well as the attorneys that make up the Supreme Court Bar.

In summary, Paul Clement has done an outstanding job as Solicitor General of the United States. His commitment to the rule of law and the Constitution, as well as his legal knowledge and expertise, has contributed to a distinguished record of service to the Country.

Thank you for your efforts in leading this commendation of an outstanding public official.

Sincerely,

EDWIN MEESE III,
Attorney General of the United States,
(1985-1988).

THE ASHCROFT GROUP, LLC,
Washington, DC, June 2, 2008.

Hon. ORRIN G. HATCH,
U.S. Senate,
Washington, DC.

DEAR SENATOR HATCH: The opportunity to thank Paul Clement for his years of superlative public service is one for which I am grateful.

It is a personal pleasure and profound honor to have had the privilege of working alongside Paul in various settings. We first worked together when he served as Counsel to the Constitution Subcommittee of the Senate Committee on the Judiciary. Following my appointment as U.S. Attorney General, I had the satisfaction of working with Paul in the Office of the Solicitor General.

In all of his service, integrity has been thoroughly sustained; his wisdom as a Counselor has been unsurpassed and the industry with which he has approached every challenge has been unflagging. Even so, Paul never allowed the excellence of his intellect to interfere with his cordial friendships with coworkers.

I know of no record of public service more worthy of praise than that of Paul Clement. The U.S. Senate is to be congratulated for its foresight and wisdom in confirming him as U.S. Solicitor General to defend our nation's interests in the judicial system.

I am truly grateful for Paul's professional and personal friendship. May God bless him and his family in the days ahead.

Sincerely,

JOHN ASHCROFT.

U.S. COURT OF APPEALS,
DISTRICT OF COLUMBIA CIRCUIT,
Washington, DC, May 19, 2008.

Hon. ORRIN G. HATCH,
U.S. Senate,
Washington, DC.

DEAR ORRIN: The following tribute to Paul Clement is being sent to you for submission into the Congressional Record:

"Paul Clement is a superb lawyer and was a splendid Solicitor General with almost invariably good judgment."

Sincerely,

LAURENCE H. SILBERMAN,
U.S. Senior Circuit Judge.

SUPREME COURT OF THE UNITED STATES,
Washington, DC, June 6, 2008.

Hon. ORRIN G. HATCH,
U.S. Senate,
Washington, DC.

DEAR SENATOR HATCH: I have sometimes remarked that one does not fully appreciate, unless and until he becomes a judge, how appropriate it is for counsel to be called "officers of the court." Judges make the decisions, to be sure. But they rely upon counsel to bring forward the best of what can be said for each side of the case. And when counsel fail to do that, the outcome may suffer.

Thus, when it was rumored that Paul Clement was under consideration to fill the vacancy in the office of Solicitor General, the Court (and I speak here of a 9-0 judgment) was delighted. It was the consensus, based on Mr. Clement's appearances before us over the preceding few years, that the President could not make a better choice.

We have not been disappointed in our expectation. For the past 7 years, General Clement could be relied upon to assure that the Government's case was presented forcefully but fairly, without exaggeration or obfuscation. The Government did not always win, of course, because sometimes its case was a weak one; but the Office of Solicitor General said for it the best that could be said. I take special pride in passing along

this praise, since as you know Paul was once law clerk of mine and has remained a good friend.

For a successful lawyer, a 7-year commitment to government service involves massive financial sacrifice. The sacrifice is all the greater, and is shared, when the lawyer has a wife and three young children. So not only does Paul deserve the Nation's thanks for making a significant contribution to federal justice, but so does Alexandra for letting him do so.

He has our best wishes and confident expectations for continuation of a brilliant career in the law.

Sincerely,

ANTONIN SCALIA.

TRIBUTE TO FRANK WOODRUFF BUCKLES

Mr. BYRD. Mr. President, this week, I was pleased to participate in a celebration of a true American hero, a West Virginia legend, and a friend, Mr. Frank Woodruff Buckles, the last surviving American veteran of World War I.

His has always been a life of excitement and adventure, an example of living life to the fullest. His career in the steamship business in the 1920s and 1930s took him to Nazi Germany, where he saw the German dictator, Adolph Hitler, at the 1936 Olympics, and witnessed the great Jesse Owens win 4 Gold Medals. In the 1940s, his work took him to the Philippines, where he was captured and spent three and one-third years until the end of World II in a Japanese POW camp. Here he led his fellow prisoners in calisthenics, as well as a number of Japanese guards who put down their guns and joined in.

That would have been more than a lifetime of experiences for most mortals, but not Mr. Buckles. His life had just begun because, after the war, he married and became a West Virginian and a farmer!

For the next 50 years, Mr. Buckles has experienced and enjoyed life as a farmer in the eastern panhandle of West Virginia. At 107 years of age, he still operates his 330-acre cattle farm. He remains an avid reader. For example, he recently read my book, "Losing America." Every year, on his birthday, he takes my staffer, Ms. Martha Anne McIntosh, out to dinner at the Bavarian Inn in Shepherdstown.

Now that is impressive! At the age of 107, he is still reading, working, and engaging in an active social life! Mr. Buckles is my role model.

Maybe his long, productive, and happy life is a product of breathing the good, clean West Virginia mountain air! More likely, it is the result of his healthy attitude toward life itself because, as the Bible tells us, "A merry heart doeth good like a medicine." (Proverbs, 17:22).

Mr. Buckles is eternally young, and for that, we appreciate him, as well as honor him for a life that exemplifies the American ideals of bravery, patriotism, and perseverance.

TRIBUTE TO NELDA BARTON-COLLINGS

Mr. McCONNELL. Mr. President, I rise today to pay tribute to a good friend, Nelda Barton-Collings. Mrs. Barton-Collings is a well-respected Kentuckian and businesswoman, recently retired after serving 28 years on the Republican National Committee.

Mrs. Barton-Collings resides in Corbin, KY, where she was married to Dr. Harold Bryan Barton. After the passing of Dr. Barton she took on the ownership and operation of his two nursing homes. At the same time, she took night classes to become a licensed nursing home administrator. She has since grown those two nursing homes into numerous nursing homes and banks throughout eastern Kentucky.

Mrs. Barton-Collings used her vast business skills to serve her community, State, and eventually her Nation by committing to public service. She started out as a precinct chair, and then rose to become Kentucky's national committeewoman for the GOP. In 1982, President Ronald Reagan appointed her to the Federal Council on Aging. In 1990, she was the first woman elected chairman of the Kentucky Chamber of Commerce while serving on the President's Council on Rural America and the National Advisory Council to Small Business Administration, through an appointment by President George H.W. Bush.

She has long been a voice of great leadership on the Republican National Committee, where she was the first woman from Kentucky to address the RNC and call the meeting to order. Her position gave her opportunities to extend democratic ideas and philosophy to the former Soviet Union. She and 40 other political and business professionals volunteered to visit the Soviet Union in 1990 to discuss the foundations of a democratic government. "They want freedom so badly; we hoped that we have helped them in some way," she said of her experience in the Soviet Union.

Nelda has given the good people of Kentucky and this Nation over 28 years of public service, and I would like to ask my colleagues to join me in honoring this committed public servant. The News Journal in Corbin, KY, published an article highlighting her accomplishments and what a champion she is for the Commonwealth of Kentucky, and I ask unanimous consent that the full article be printed in the RECORD.

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

[From the News Journal, May 28, 2008]
LONGTIME SUPPORTER HONORED WITH
PORTRAIT, CLASSROOM

On Sunday, May 18, friends and family of Nelda Barton-Collings gathered at Cumberland Inn on the campus of University of the Cumberlands to recognize this extraordinary woman at a luncheon given in her honor.

As Dr. Jim Taylor, UC president said, "Today we honor a lady who has made, and

who continues to make a significant and substantial contribution to our area, to our state, and, indeed, to our nation. Dr. Nelda Barton-Collings truly is a legend in her own time." After the luncheon, the assembly proceeded to the Hutton School of Business, where a portrait of Mrs. Barton-Collings adorns a special classroom, which bears her name, in recognition of her faithfulness and support of UC.

A native of Providence, Webster County, Kentucky, Barton-Collings attended Western Kentucky University for two years before she entered the Norton Memorial Infirmary in Louisville, where she became a certified medical technologist. In Corbin, as the wife of Dr. Harold Bryan Barton, she became active in local organizations and held leadership positions in church, political, civic, medical, youth, educational and women's groups.

After Dr. Barton's death, she took over his business, which consisted of two nursing homes, and completed the Williamsburg Nursing Home, then under construction. At that time, she enrolled in night classes at University of the Cumberlands and later became a Kentucky Licensed Nursing Home Administrator. She and her business partner continued to build or buy a total of eight long-term healthcare facilities in Eastern Kentucky. A business woman ahead of her time, Barton-Collings has owned banks, pharmacies, rental properties, weekly newspapers, a cinema, and several other businesses. The newspapers, long-term care facilities and banks have won state awards and recognitions.

In 1990, Barton-Collings became the first woman elected chairman of the Kentucky Chamber of Commerce. In 1982, she received a Presidential appointment from President Ronald Reagan to the Federal Council on Aging, where she served until 1987. From 1990-92, she served on the President's Council on Rural America and the National Advisory Council to Small Business Administration, appointed by President George H.W. Bush.

As an active member of the Republican Party for more than 50 years, Barton-Collings moved up the ranks from a precinct chair to Republican National Committee member representing Kentucky, a position she held for 28 years. Elected vice chair for an eight-year term and secretary of the Republican National Committee for another eight years, Barton-Collings earned the honor of calling to order the Republican National Convention in 1996.

But, this was not her first convention appearance, as she was the first woman from Kentucky to present an address at a Republican National Convention, when, in Detroit, Michigan, in 1980, she spoke on "The Business of Caring for the Elderly." During her tenure on the Republican National Committee, she was a charter member and appointed secretary-treasurer of the National Institute on International Affairs, and she served on the Foreign Affairs Committee, which allowed her to travel extensively to foreign countries to promote democracy.

Recently honored by the Kentucky Commission on Women as a "Kentucky Woman Remembered" for her many achievements, Barton-Collings's portrait now hangs in the Kentucky State Capitol.

Through the years, she has received numerous other awards and honors, including an honorary Doctor of Laws degree from University of the Cumberlands, as well as the Kentucky Medical Association's Outstanding Layperson Award, the John Sherman Cooper Distinguished Service Award from Kentucky Young Republicans and the Dwight David Eisenhower Award.

Currently, the chairman of the board of Bretara, LLC and Tri County Cineplex, LLC,

Barton-Collings also serves on the Kentucky Economic Development Partnership Board; as secretary of the University of Kentucky Center on Aging; and as chair of University of the Cumberlands Board of Visitors.

Married to Dr. Jack Collings of Owensboro, Kentucky from March of 1992 until his death in 2000, Barton-Collings is the mother of five, grandmother of ten, step-grandmother of twelve, and great-grandmother of two.

Dr. Jim Taylor, University of the Cumberlands president, said, "It is entirely appropriate that Mrs. Barton-Collings's picture hangs in this room where our students will study business principles and practices, for she certainly exemplifies the ideal of a true businesswoman."

Through her remarkable career and her stellar service to her fellow humans, she is a role model for our aspiring business leaders, and we are honored that she is an alumna of University of the Cumberlands, Nelda, as we say here in these beautiful mountains, "You do us proud."

WEST VIRGINIA DAY 2008

Mr. ROCKEFELLER. Mr. President, as a Senator from West Virginia, I wish to pay tribute to our State on the commemoration of our admittance into the Union on this day in 1863—and to honor the nearly 2 million people who are proud to call it home.

When people think of West Virginia their thoughts turn to our mountains, our rolling green hills, and rivers. It is a place of immense natural beauty and scenic wonders. Still others may think of our most abundant natural resource, coal, or even our steel. Every fall, many college sports fans turn their thoughts to our incredible football teams.

West Virginia, without question, is all of these things. But what truly sets us apart from other places is our people. West Virginians are the hardest working, nicest people you all ever have the chance to meet. They are the reason that so many people choose to come back again and again to our State. They are real people who possess an abundant spirit of hope, optimism, and authenticity. More than anything else, they are the heart and soul of our great State.

So it seems only fitting on this West Virginia Day that we pause for a few moments and think about the lasting contributions that our coal miners, steel workers, teachers, public servants, and next door neighbors have made not just on our State, but on our Nation.

West Virginia is rooted in rich culture. Our Appalachian heritage is immortalized in song and prose. It is a place where the pioneering spirit is still alive and well. Our communities are not just bound together by ZIP Codes but in sharing responsibility to care for and look out for each other. We are still a place where neighbor helping neighbor is a way of life, and our children are raised to honor their family and to love our country.

West Virginia is place where values such as compassion, self-reliance, loyalty, love, unselfishness, and faith are both timely and timeless.

This is the West Virginia that embraced me and later my family. These are the people who helped to give me a true sense of purpose and shape me deep into my core.

This Senator is incredibly proud of our coal miners that do the hardwork of mining the coal that provides the Nation with its electricity and of our steel workers who forged the tracks for our Nation's railroads, the girders for our skyscrapers, and the bridges that span the country; I am proud of those West Virginians who are now building planes, trucks, and doing cutting-edge research into disease prevention and biometrics; of those West Virginians who have dedicated themselves to be our communities' guardians as first-responders, or in the National Guard; and of those in our State who have entered into public service—especially our teachers—and of those rural health care professionals who provide essential and life-saving services to some of our most vulnerable.

And of course, our entire State is tremendously proud of those West Virginians who have earned the honored title of veteran.

Emblazoned on our State flag is our motto, "Mountaineers Are Always Free." It is in that spirit that West Virginians have always answered the call of duty in our country's time of need.

Earlier this week, the Senate honored Frank Buckles, the last surviving soldier from World War I, who now lives in Charles Town. As a teenager, he went to war to defeat the Kaiser, and he was imprisoned by the Japanese for 3½. He is truly a living legend, a touchstone to our past, and we are so proud to have him in WV.

West Virginia's sons and daughters have fought on the Korean peninsula, in the jungles of Vietnam, the mountains of Afghanistan, and the desert of Iraq—and in conflicts in between.

We always have a special place in our heart for our Gold Star Mothers—and for those who gave their last full measure of devotion and now rest in fields that were once made infamous by war.

I could go on and say many more flattering things about our beloved State, our people, and our future, but as West Virginians we know that we are truly blessed. Perhaps that is why humility is one of our greatest virtues, because we know that no matter what challenges we face, as a State we will stand together, harness our "can-do" spirit, and overcome them. That is what we do. We are fighters, in every sense of the word.

HONORING OUR ARMED FORCES

STAFF SERGEANT TYLER E. PICKETT

Mr. BARRASSO. Mr. President, I rise today to pay tribute and express our Nation's deepest gratitude to a remarkable young soldier and his family. I was saddened to receive word last week that on June 8, 2008, Army SSG Tyler E. Pickett of Saratoga, WY, was

killed in the line of duty while serving our country in the war on terrorism. Staff Sergeant Pickett died from injuries he sustained when his unit came under attack by enemy forces using improvised explosive devices in Kirkuk Province, Iraq. He was serving his second tour of duty in Iraq, and had also served a tour in Afghanistan.

Staff Sergeant Pickett served with the 2nd Battalion, 22nd Infantry Regiment, 1st Brigade Combat Team, of the 10th Mountain Division out of Fort Drum, NY. He moved to Wyoming at the age of 14 and joined the Army shortly after his graduation from Saratoga High School in 1999. His mother said that serving his country in the Army was always a part of his plan. He came from a family with a strong history of military service, and he knew what he wanted to do. He made friends everywhere he went, and it didn't matter where he was—he was always touching someone's life. He looked forward to retiring from the service one day and spending his life in the mountains of Wyoming.

It is because of Tyler Pickett that we continue to live safe and free. America's men and women who answer the call to service and wear our Nation's uniform deserve respect and recognition for the enormous burden that they willingly bear. They put everything on the line everyday, and because of them and their families, our Nation remains free and strong in the face of danger.

This past weekend, Americans celebrated Flag Day. Like so many before him, Staff Sergeant Pickett fought under the flag of the United States of America. He fought and died for the Republic for which it stands. Words cannot express the gratitude we owe him.

In the book of John, Jesus said that, "Greater love has no man than this, that he lay his life down for his friend." SSG Tyler Pickett gave his life, that last full measure of devotion, for you, me, and every single American. He gave his life defending his country and its people, and we honor him for this selfless sacrifice.

Staff Sergeant Pickett is survived by a loving family including his wife Kristin and their children, his mother Sheri Peterson and father Ed Pickett. He is also survived by his brothers and sisters in arms of the U.S. Army. We say goodbye to devoted family man and an American soldier. Our Nation pays its deepest respect to SSG Tyler E. Pickett for his courage, his love of country, and his sacrifice, so that we may remain free. He was a hero in life and he remains a hero in death. All of Wyoming, and indeed the entire Nation, is proud of him. May God bless him and his family and welcome him into his home on high.

ETHIOPIA

Mr. FEINGOLD. Mr. President, Ethiopia has increasingly been an active participant in the international com-

munity and a leader on the African continent—as a charter member of the United Nations, a cofounder of what are now the African Union and Inter-governmental Authority on Development, and a key partner in combating international terrorism. After decades, and some would say centuries of civil strife, the 1994 Constitution and election of the coalition Ethiopian People's Revolutionary Democratic Front, EPRDF, in 1995 seemed to herald the beginning of an era of peace, democracy, and development. Efforts to reform the economy and political dynamics, while slow, reversed the devastating impact of the Derg and gave the people of Ethiopia some hope that a robust democracy was really taking root. In fact, in the runup to the 2005 elections, there was a deliberate and significant opening of political space—which included broad media coverage of opposition parties, relatively unimpeded access for opposition candidates to their constituents, and live televised debates between opposition candidates and ruling party incumbents. But in the aftermath of that May 2005 election—which ended in a deeply flawed process and aggressive tactics against the opposition—the ruling party has ratcheted up its rhetoric while backtracking significantly on its commitment to democracy. A newly proposed bill, called the Charities and Societies Proclamation, is the most recent indication of this backsliding.

Indeed, for years, the U.S. State Department has reported "widespread human rights abuses" in its annual country report on Ethiopia. Among the most consistent violations listed are the intimidation, beating, abuse, and arbitrary arrest and detention by Government security forces of journalists, opposition supporters, union leaders, and others who dare to challenge the ruling party. Some of the more egregious examples associated with the growing opposition began in 2005 and include the arrest and prosecution for capital offenses of 131 major opposition leaders and the arbitrary detention of 30,000 to 50,000 civilians without charge. The ruling party also forcibly closed opposition political offices that same year and kept them closed through the eve of local elections this past April. Such conduct is a clear violation of regional and international human rights laws, to which Ethiopia is a signatory, and directly contradicts the country's own Constitution, still only 12 years old.

Over the past year, I have become increasingly concerned by reports coming out of the Ogaden region of Ethiopia regarding military attacks on civilians and Government blockades of essential humanitarian and commercial supplies. National and international aid organizations with field missions in the area describe security forces burning villages and Government officials ordering entire village populations to move to specific "resettlement" locations that lack sufficient

food, water, medical services, and sanitation facilities. Despite the numerous credible reports coming out of the region, the Ethiopian Government has denied that such violations may be occurring and has refused to even investigate these allegations and/or permit independent assessments of conditions in the region. Such stonewalling only further undermines the rule of law and the Government's obligation to protect its civilian population.

The aid organizations now struggling to keep these Ethiopian civilians alive, as well as national and international human rights defenders, democracy advocates, independent journalists, and humanitarian organizations seeking to consolidate and extend peace, democracy, and development in Ethiopia, are already facing cumbersome bureaucratic rules and sometime succumb to self-censorship to avoid Government reprisals. The Ethiopian Government's new law, if passed in its current format, would make it almost impossible for these groups and individuals to continue their important efforts. Under the Charities and Societies Proclamation, non-Ethiopian organizations would be prohibited from engaging in democracy, human rights, good governance, or conflict resolution activities, and national civil society groups would have to forgo foreign funding and submit to strict Government regulation.

To reaffirm and facilitate Ethiopia's commitment to and progress towards democratic development, eliminating extremism, good governance, combating HIV/AIDS, improving agricultural productivity, and reducing chronic hunger, the U.S. Government has provided billions of dollars worth of assistance in recent years with more than \$700 million already in fiscal year 2008. The majority of this support is delivered through U.S.-based nongovernmental organizations that offer essential services and supplies to civilians as well as valuable technical assistance and resources to strengthen Ethiopian institutions and infrastructure. The new restrictions and regulations would severely limit or even prohibit much of this assistance and should cause the United States as well as other international donors to reconsider whether contributions to Ethiopia can further democracy, development and accountability.

The Ethiopian Government claims the new regulations are aimed at improving the accountability and transparency of civil society organizations operating in Ethiopia. But what the provisions would actually do is erode the Government's own accountability and transparency by impeding these organizations' ability to serve their essential watchdog functions. This is not the time or place for tighter controls. Instead, the Ethiopian Government should support improvements in the quality and capacity of these groups, which are vital to the country's continued political, economic, and social development.

The United States needs to work with our partners—both on the continent and off it—and strongly oppose the imposition of this new proclamation to protect the gains Ethiopia has made in recent years and pave the way for further consolidation of growth and democracy. If passed in its current format, this bill would have a devastating impact on our foreign policy objectives and Ethiopia's development as a robust democracy. And, even if revised and amended, passage of this bill would still send a negative message, that of a government desperately seeking to hold on to power and dismantle any groups that might expose its failures or limitations. We must stand with the people of Ethiopia and with the principles that Americans hold dear.

WORLD REFUGEE DAY

Mr. FEINGOLD. Mr. President, today, on World Refugee Day, we recognize the millions of innocent people who are living as refugees due to violence, unrest, and natural disasters. Each day, refugees struggle to survive in an unstable environment where they are often unable to further their education, make a living for themselves, or obtain adequate health care.

The struggles refugees face are unimaginable. Being forced to flee your home, often to encounter precarious, crowded living conditions in a strange place, is particularly treacherous for women, given the pervasive problems of sexual abuse, beatings, and sometimes torture. Displaced people who make it to refugee camps have often already survived extremely difficult situations as they cling to the hope that they will one day be able to return to their homes.

Protracted conflicts and humanitarian crises increase instability and negatively impact the livelihoods of refugees we have seen this in countries such as the Democratic Republic of Congo, Sudan, eastern Chad, Jordan, and Syria. In each of these countries and in many other places around the world, national and international nongovernmental organizations confront challenging circumstances to meet the basic needs of refugees and protect their human rights. The international community and host governments must make it a priority to ensure support and access for these groups so that they can serve vulnerable refugee populations. Every time a refugee dies from an easily preventable disease or from living in unsanitary conditions, we are failing to live up to our collective responsibility.

But we cannot accept disaster response as the only option. We must be working harder to create systems that anticipate and prevent conflicts from arising so we can stop mass displacement before it even begins. We need to use all our resources to prevent such crises from occurring.

As we recognize World Refugee Day, we acknowledge the strength and sur-

vival of refugees, and we commit not just today, but every day, to work towards creating a world where governments fulfill their basic responsibility to protect their citizens.

BOY SCOUTS AT THE LITTLE SIOUX SCOUT RANCH

Mr. ENZI. Mr. President, I wish to honor the Boy Scouts who recently lost their lives at the Little Sioux Scout Ranch in Iowa. As the Midwest continues to experience devastating storms that have shocked us all, I would like to take time to remember four young boys from that area who were recently laid to rest. Josh Fennen, Sam Thomsen, Ben Petrzilka, and Aaron Eilerts were all Boy Scouts of America. These young men were remembered as boys who were loved by their families, on their way to becoming young men, and above all Scouts. As an Eagle Scout myself, I share a deep connection with these boys from Iowa and Nebraska, along with all Scouts throughout America. The path to becoming an Eagle is much like the path our future leaders should take, and although the lives of these four young boys were ended abruptly, they were on that path.

As I recall the Scout motto of "Be Prepared," I can't help but to think of the emergency drill these Scouts practiced the day before the tornado or how the Scouts moved swiftly to assist with their first-aid skills the 48 who were injured. The Scouting community has suffered a great loss. My thoughts and prayers go out to the families, friends, and Scouts whose lives were touched by these four boys.

TRIBUTE TO COLONEL GREGG P. OLSON

Mr. LEAHY. Mr. President, today I pay tribute to Col. Gregg Olson, USMC, who will complete his 2 year tour of duty with the United States Marine Corps' Office of Legislative Affairs on June 24, 2008. I have had the pleasure to work with Colonel Olson on many occasions. In his role as the Director of the Marine Corps' Senate Liaison Office, he has provided superb support, acting as the principal conduit for information between the Marine Corps and many members of the Senate. His affable personality and attention to duty contributed to a highly successful relationship between the United States Senate and the United States Marine Corps. Though he will continue his service to the Marine Corps and the country, he will be sorely missed.

A native of Rhode Island, Colonel Olson attended the United States Naval Academy, and received a commission as a Second Lieutenant in the United States Marine Corps in 1985. His career as a Marine officer has been exemplary, serving with distinction in every post he has been assigned. Prior to his assignment to the United States Senate, he served two tours in Iraq,

first as an Operations Officer to a Marine Expeditionary Unit in 2003, and then as a Battalion Commander in Fallujah, Iraq in 2004. His battalion was involved in the Battle of Fallujah, which saw some of the most intense house-to-house fighting of the war. Many proud Marines under his command gave their lives in that battle.

Over the past 24 months, his unselfish devotion to duty, exceptional performance, and outstanding professionalism have translated into invaluable service to the Senate. He has advised Members and Senate staff members on matters of great importance to the United States Marine Corps. In the fluid nature of the legislative cycle, he distinguished himself by establishing and developing great working relationships with Senators and their staffs. He responded to thousands of congressional inquiries, ranging from such sensitive issues as notification of combat casualties, to providing timely information on the operations and budget of the Marine Corps.

He also planned and executed approximately 15 international congressional delegations. I had the pleasure of traveling on several of these congressional delegations with Colonel Olson. His acumen for social interaction carried over into Colonel Olson's ability to represent his service at numerous Marine Corps and Joint Service social events on Capitol Hill. Among others, these events included the Marine Corps Birthday Commemoration, the Joint Services Reception, and several Marine Corps fall and spring receptions—all important events that enabled me and my Senate colleagues to maintain close relationships with the Marine Corps' senior leadership.

On behalf of the Senate, I thank Colonel Olson for his continued service to the Nation and the United States Marine Corps, and I thank his wife, Dawn, for her steadfast support while he fulfilled this essential duty. As Gregg departs the Senate to assume command of the 11th Marine Expeditionary Unit at Camp Pendleton, CA, we in the U.S. Senate wish him all the best.

HONORING TROOPER DAVID SHAWN BLANTON, JR.

Mr. BURR. Mr. President, today I wish to honor the life of North Carolina State Trooper David Shawn Blanton, Jr., who was tragically killed on June 18 during a routine traffic stop near Canton, NC. David is the 59th North Carolina State Trooper to have been killed in the line of duty.

David was only 24 years old and was a 2-year veteran of the North Carolina Highway Patrol. He was a native of Sylva, NC, and a 2002 graduate of Smoky Mountain High School where he was a football and wrestling star.

We are all grateful for David's dedication to protecting the citizens of North Carolina. He lived in Cherokee with his wife Michaela, who had just

given birth to their son Tye 2 weeks ago.

David was a member of the Eastern Band of the Cherokee Indian Tribe and the first member of that tribe to serve with the Highway Patrol. In addition to being a State trooper, David volunteered as the Junior Varsity softball coach at Smoky Mountain High School.

Along with his wife Michaela and son Tye, David is survived by his father, David S. Blanton, Sr., mother, Jennifer Blanton, and younger brother, Jesse Blanton.

David's friends, family, fellow troopers, and the people of North Carolina are mourning this very tragic loss.

I know there are no words I can offer to help comfort Michaela and other members of the Blanton family, but I hope my colleagues in the Senate will join me in keeping them in our thoughts and prayers.

David gave his life in service to our State, and this ultimate sacrifice should never be forgotten.

I send my deepest condolences to all who had the privilege of knowing this young man who gave his life in service to our State.

IDAHOANS SPEAK OUT ON HIGH ENERGY PRICES

Mr. CRAPO. Mr. President, earlier this week, I asked Idahoans to share with me how high energy prices are affecting their lives, and they responded by the hundreds. The stories, now numbering over 1,000, are heartbreaking and touching. To respect their efforts, I am submitting every e-mail sent to me through energy_prices@crapo.senate.gov to the CONGRESSIONAL RECORD. This is not an issue that will be easily resolved, but it is one that deserves immediate and serious attention, and Idahoans deserve to be heard. Their stories not only detail their struggles to meet everyday expenses, but also have suggestions and recommendations as to what Congress can do now to tackle this problem and find solutions that last beyond today. I ask unanimous consent to have printed in the RECORD today's letters.

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

SENATOR CRAPO: We are not going to be able to take any time to enjoy our great state of Idaho this summer as with years past. The gas to go and return from our favorite spots like Stanley basin, Warm Lake, McCall's Ponderosa State Park is just too much to make it enjoyable. The cost of food clearly is reflective of the fuel pricing. This just makes it far too expensive to go anywhere this summer. I am absolutely disgusted in the way our government is allowing this to happen to the American people.

I look forward to a movement to begin re-commissioning our own drilling rigs that still sit idle in the Gulf of Mexico.

I look forward to a movement to begin drilling on our own land for oil that we all know is right under our own borders.

I look forward to a movement to release and discontinue the excessive storage of emergency fuels.

I also know that I am not alone in monitoring the existing administration who will not lobby for these items I list to be addressed and resolved. It is time we start taking care of our own with our own resources. This includes limiting the impacts on the greater population by the loud concerns of a few groups. With today's technology we can certainly drill and protect our environment and begin to reduce greatly our dependence on foreign oil(s).

Respectfully,

BILL, Boise.

DEAR SENATOR CRAPO: As one of those who voted for you I am pleased to provide a bit of input on the costs of fuel and the impact on myself, my family, and my business.

Just like the majority of Idaho families, our family has been directly impacted by the very high prices of gasoline and the way it happened . . . so quickly and without reprieve or real alternatives.

In my business, I must have a good supply of gasoline in order to function. I operate a flight training school for pilots in Nampa. My costs for fuel are always around \$10,000 per year and that is normally my one major expense associated with my business outside of the other normal overhead costs any other business has. Even so, it is the Numero Uno cost for my business, and now it is about 50% increased from that already very high price. What compounds this loss is that so many people have become too financially short that my customer base is very low now.

Normally, in the past 7 years, I would be looking at a full student schedule, with at least 3 or 4 on a waiting list. This year, I have a 20% load and no waiting list. It is that sparse due to the economy, then compounded by the very high fuel costs.

Thanks for the opportunity to provide some direct input on the subject to your office.

Sincerely yours,

GARY, Nampa.

DEAR SENATOR: The biggest impact that gas prices has had on me affects our family. We have six married children and one single daughter spread throughout the west. One in Colorado Springs, CO; another in Mesa, AZ; two in the Orem, UT, area; another in dental school at Marquette; and two in the Boise area. We plan a family reunion every summer, which is usually our once-a-year gathering. We have cancelled our reunion this year, scheduled for Colorado Springs, CO, because of the cost of fuel for everyone. I just can't tell you how disappointing it is to all of us not to have an opportunity to be together this year. We hope that it will not stop us next year.

I hear all of the reports that America has ample supplies but legislation and environmentalists prevent us from developing the natural resources. We are too late for today, but tomorrow will be here and we need to be prepared to provide for ourselves. All that you can do to make this possible is needed and necessary. Please do your best to make it happen.

DOUG.

PLEASE pass emergency legislation to exploit America's natural resources. Authorize drilling wherever oil companies think there might be oil or natural gas, authorize nuclear energy and wind power. Set up drilling stations off America's shores instead of letting Cuba and China take our oil. Show some resolve and Yankee ingenuity!

Americans will downsize and conserve—the market will take care of that, but you should have had us energy independent years ago. We could be sending money to America instead of supporting people who do not have our country's best interest at heart.

Americans used to take care of problems before this developed into such a serious situation. We used to take care of people who wanted to cause us harm instead of insisting on being "politically correct". Strong countries do not get attacked. Weak countries like what we are becoming do! Congress and the rest of us have all seen this problem coming for many years. Do nothing now and we are on our way to becoming a second-class country.

Please show the leadership that you were elected to use. Make us energy independent. It does not matter if it takes ten years. Ten years ago, if Congress had "taken care of business," we would not be in this dire situation now. Every drop of oil that is produced in this country is one drop that does not have to be imported from another country.

STAN, Boise.

Dear Senator CRAPO: Thank you first for this opportunity to voice my concerns, which I'm sure are no different than millions of others. The energy price effect on me is no different than on, I'm sure again, millions of others. It means no vacation, less "extra-curricular" activities and simply prioritizing vehicle use. Unfortunately, the energy prices have a ripple affect on a lot of things, but I suspect what has the largest impact is the price of food, which is also increasing substantially as it costs so much more to transport it.

I think Congress' number one priority right now should be reducing the cost of oil/gasoline; however, it is done. I believe that, by doing so, you will resolve and/or improve the majority of other inflation concerns, i.e., the cost of food, clothing. By reducing energy costs, it would likely free up businesses to expand and provide additional jobs, thus reducing unemployment. I see gasoline prices as the "bane" of our life right now and anything you can do to resolve this problem is much appreciated.

KET, Emmett.

You and Congress know what needs to be done. Drill now—drill HERE! Join China and Cuba off our own shores and become self reliant again. Start drilling in Anwar. Start drilling in Montana. Start using the resources in Colorado in shale. And build more refineries—and you—CONGRESS—loosen the hurdles that make it impossible for anyone drilling and/or building those refineries we need so much—as well as provide alternatives (such as nuclear and solar). Stop wasting time telling "stories"—and loosen the restrictions that environmentalists have shackled us with! Do your job.

Just let us become a self reliant nation again!

UNSIGN.

The rising gas prices have really affected my life. I am a widow who is on a very limited budget—every nickel counts. I am still working and live about 15 miles from my work. There is no public transportation out where I live in Kuna, ID, so I have to bite the bullet and pay these exorbitant prices at the pump, do without going to the movies, out to dinner or buying the new pair of sandals I need for the summer. My elderly mom lives with me and requires lots of travel into town for doctor appointments, which take gas. I usually take her each summer to Wyoming to her home town for a visit. No way can I do it this year what with the gas prices, rising motel costs, food costs, etc. I was in hopes I could look at retiring in a couple of years, but that is definitely on hold now. I can't afford not to work with gas costing me over \$50 each week to fill up my car. Sure hope Congress gets going and allows us to start drilling for our own oil!

LOUISE, Kuna.

What I would like to see is a two-pronged approach. One is drilling offshore in Alaska, and oil shale in Utah/Colorado/Wyoming, Montana and North Dakota, along with nuclear, solar and wind.

The other is conserving in ways such as: by 2010 all appliances sold are Energy Star-rated; all houses and mobile homes to be built to the Energy Star rating. Instead of the government giving big grants for research, why not do like the X-prize for space travel and put up money for benchmark improvements in things such as 100-mpg cars, solar improvements, wind generator improvements, home energy use improvements, etc. I used to own a hatchback in the late 1980s that I would get 42-44 miles to the gallon on the highway. Why cars of that size can't get 60+mpg now is beyond me.

Without the Republicans acting more like Teddy Roosevelt and less like George Bush, the Democrats will never go along with the offshore or Alaskan drilling. The other thing that you and other Republicans need to do is to go before the American people and say "The Democrats in Congress are against the middle class jobs and real living middle class wages and benefits that would be provided with the opening of these locations. Norway can drill safely off their shores, and I know the American people can do an even better job of protecting the environment then they can."

Thanks for your time,

UNSIGN.

For us personally the high costs of fuel and heating oil have caused some huge changes in our lives. We are senior citizens on a fixed income and the rising costs of fuel and food are way greater than our income and projected cost of living raises that we get from Social Security. Recently we had a death in our family—in another state. The cost of driving or flying there made it very hard for us in our decision not to go. Also we are staying home a lot more. We cannot afford pleasure trips so we have to make every trip to town count. We see people who have to drive out of town to work—and the fuel costs can outweigh the benefits of working. I see American aid poured out to other countries who are in crises and yet the crises right here at home are being overlooked.

Please take care of Americans first! Stop this oil from going any higher!

Sincerely,

RAY AND VI MUELLER, Priest River.

We are an average family of five—Dad, Mom, 16-year-old boy, 9-year-old girl, and 4-year-old girl. My husband is in new home construction, and I am an accounts payable clerk for a university. We both work full-time jobs, and both of us work part-time night and weekend jobs to help make ends-meet. My daughter was diagnosed with juvenile rheumatoid arthritis a year ago, so we have some very big medical expenses. We have had to travel to Primary Children's Hospital in Salt Lake City, Utah, from our home in Rexburg, Idaho, every six weeks for the last year. Because of the rise in gas prices and the rising medical costs, I have to work a second job to pay for these expenses. Our vehicle is a 2005 Yukon that gets about 16 miles to the gallon, so this trip is not economical, but I don't have any choice but to make this trip every six weeks. Because of the rise in gas, I can't even trade my SUV in on another car because the car dealers won't trade with me. My employer provides medical insurance with my monthly premium costing \$250 for my family. My daughter's medication is almost \$200 per month and I pay hospital/doctors/lab bills almost \$300 per month. With each increase in our monthly expenses, it becomes more difficult to pay

our bills. We need help! I am hoping and praying for something good to happen that will help reduce our monthly expenses.

Thank you,

TAUNYA, Rexburg.

DEAR SENATOR CRAPO: As you know the driving distance in our state is unlike most states. My husband and I both travel over 23 miles one way to work every day. Due to the continual increase in cost of the gas we have been carpooling together for over a year now. The biggest problem we have is with every increase in gas so does the increase of everything else you buy, but the wages have not gone up with it.

Every time we fill our tank, it takes away from groceries and other necessities; with every increase, we are to the point there is not much more to give up. The cupboards are bare, and we try to get by on what is the cheapest and bare minimum, if it continues to go up as it has, we will get to the point where we have to choose between the mortgages and utilities or gas in the tank. If it were not so far away, we would consider riding horses to work every day.

I think as long as the environment and nature is preserved and monitored, domestic production is OK along with alternative sources. We need to quit being so reliant on foreign oil and start helping ourselves not only for now but for the future.

ESTHER, Athol.

SIR: I am fairly new to Idaho only been here for five years now. I was from Texas. I had some very good friends who [had to cap their family well, which put out 10 to 15 barrels a day]. A lot of people were hurt, not only in Texas, but in other states as well. We should move forward much faster on the part gas/part electric cars for now even the big one to. We should use our own oil and move to anything that we can make for ourselves. I don't like it, but we have to stop being everyone's go-to-guy and start taking care of us for a change.

PHILIP.

I do not wish to share my story but I would like to recommend that we quit sending the Alaskan oil to Japan and use it within the United States.

I also would like to see Congress open up the known oil fields in the United States today (not someday). Many have been shut down and capped for years. Plus we need to explore for new sites as well as start drilling where we already know there is oil. We need to start building refineries and updating the current ones that we have. Why we ever got ourselves in this mess is beyond me.

I would also like to recommend that you talk with John McCain and help him get his head on straight. I am not sure why our party has chosen a Socialist for its candidate. If I didn't feel like I was throwing my vote away and maybe even help elect Obama, I would vote for Barr.

If the Congress continues to do nothing about the energy problem, I think this nation will come down on Congress with a vengeance.

SUZETTE.

The cost of fuel has certainly changed the way I am now living my life. After my retirement, I was planning on visits to my sister (Arizona), my grandkids (Portland) and my cousins in Missouri and New Mexico.

Now I am tending my garden, growing as much of my food as possible to supplement and help offset the high price in the grocery store. I am not using my clothes dryer; I am lucky enough to live in a subdivision that still allows clothes lines. This might seem minor, but I am cringing at the cost of heating my home this winter and am applying extra money to the gas company.

I do not go out to lunch with my friends; we talk on the phone but do not have lunches out. We are planning on one lunch a month at someone's home.

Extra shopping? Not on your life!! Since we have no clue how much fuel is going to go, extra spending is not considered. Is this hurting the economy, no doubt about it, but with no reasonable end in sight we have no choice!!

IRENE.

I would have much preferred to see the global warming legislation go through. The energy prices right now are short-term pain, but nothing compared to what we're headed for if the current course is maintained on global warming. Please think in the longer term and consider changing your stance on global warming. And please don't send me one of those garbage "thank you for your support" automatic responses. I do not support your vote on this.

ILANA, Boise.

ADDITIONAL STATEMENTS

RECOGNIZING DIANE REESE

• Mr. ROCKEFELLER. Mr. President, I would like to take this opportunity to recognize the presentation of the Diane Reese Award to Marilyn J. Smith for her work as the president and co-founder of the Abused Deaf Women's Advocacy Services in Seattle, WA. The presentation took place in the Library of Congress during a major conference on domestic violence.

This award is much more than recognition of an individual who has gone above and beyond to help those who have and still are suffering from the terrible domestic violence abuses happening daily. This award recognizes a way of life that has inspired and helped countless people that are in need. I would like to commend Marilyn J. Smith for her outstanding work continuing Ms. Reese's compassionate legacy.

As some of you know, I got my start serving the public when I came to southern West Virginia as a VISTA volunteer. Although Ms. Reese's social justice work started long before her life moving journey to the coalfields of West Virginia, it was that journey that connected both of our lives together.

I was able to witness firsthand Diane's ability to gracefully build the West Virginia Coalition Against Domestic Violence. Working with Sue Julian, who still is a team coordinator at the Coalition, they provided the leadership to create a strong program that has grown into a network of shelters, outreach centers, and support groups throughout West Virginia. Diane inspired many thanks to her steady, quiet but fully committed life. Sue and the rest of the coalition continue that work.

Visiting the various shelters Diane helped set up in the early 1990s was a very moving opportunity that I feel very fortunate to have experienced. Working closely with Ms. Reese and the coalition, we fought together for the passage of the first Federal Violence

Against Women Act and its subsequent reauthorizations. I have continued to work with the coalition and have tried to help with vital Federal grants. Diane, Sue, and the coalition have played a pivotal role in advising me about the Violence Against Women Act over the years.

In West Virginia, Diane Reese touched the lives of so many with her unique ability to heal and serve those in need. Throughout her years of serving the public, Diane became an adjunct faculty at Southern WV Community College and was an active member in the Mountaineer Food Bank, the Appalachian Research and Defense Fund Board, the National Coalition Against Domestic Violence, just to name a few. As you can see, Diane certainly went above and beyond the norm with her generosity and charity.

Just last year the West Virginia Coalition Against Domestic Violence that Diane helped to create provided support to over 15,000 people, including children. As you can tell, the numbers of those touched by her life are enormous. Her community organizing efforts, spirit for social justice, and expert skills as an educator made her a good counselor and dear friend.

I and all the people who knew and worked with her were saddened to lose her, and we mourn her still. But Diane has an extraordinary legacy that lives on in the work of the coalition in West Virginia and the national award that continues to inspire and acknowledge the next generation of advocates. Diane Reese pursued every obstacle she faced with knowledge, kindness, respect, expertise, and conquered each one of them with grace and optimism. Those of us lucky enough to know her personally will also remember her, and the award in her memory continues to inspire all of us. And, I know that with the great challenges that still face the victims and survivors of domestic violence, Diane would be urging us to continue the work she began and reminding us that the goal of securing peace at home for everyone is a goal upon which we must never give up.●

HONORING LIEUTENANT COLONEL CRAIG M. GREENE

• Mr. SHELBY. Mr. President, today I wish to recognize and pay tribute to LTC Craig M. Greene, deputy chief, Army Senate Liaison Division, Office of the Chief of Legislative Liaison, who will retire September 1, 2008. I wish to commend and congratulate Lieutenant Colonel Craig Greene upon his retirement.

Lieutenant Colonel Greene's distinguished career as an infantry officer embodies all of the Army's values of loyalty, duty, respect, honor, integrity, and personal courage and spans 20 years, during which he has distinguished himself as both a soldier and leader.

Upon graduating from the University of Massachusetts, Lieutenant Colonel

Greene served as an infantry officer in command and staff positions in a number of infantry units. Prior to Lieutenant Colonel Greene's assignment to the Office of Chief of Legislative Liaison, he was assigned to the 25th Infantry Division, Light, Schofield Barracks, HI, from 2001 to 2003. His experience in the Army's Officer Personnel Management Command led to Lieutenant Colonel Greene being selected to serve as the brigade S-1 for the 2nd Brigade "Warriors" and the secretary to the General Staff for the Commanding General. The consummate professional, Lieutenant Colonel Greene revised internal systems to streamline information flow and the decisionmaking process to include instituting a "Battle Rhythm" for the division staff eliminating redundant meetings and events.

In his more recent position as a congressional liaison, I have come to know and respect Lieutenant Colonel Greene. A natural at building and maintaining relationships with Members of Congress and their staffs, Lieutenant Colonel Greene was invaluable as the Army faced many challenges associated with its budget and real-world combat operations in the global war on terror. Members knew they could count on Lieutenant Colonel Greene for his counsel, professional advice, and unwavering integrity.

While assigned to the Office of Congressional Legislative Liaison, Lieutenant Colonel Greene prepared members of the Army staff for over 20 hearings and orchestrated over 150 congressional engagements to ensure Congress understood the Army programs and budget requirements to grow and transform the Army. Lieutenant Colonel Greene escorted over 50 congressional delegations worldwide.

His expertise concerning congressional affairs, his strategic, operational, and tactical knowledge of the Army, combined with his keen intuition and ability to develop key relationships have been instrumental in enabling the chief of legislative liaison and the Army to meet the Army's legislative objectives. Lieutenant Colonel Greene has escorted 12 delegations to Iraq and Afghanistan, in support of Operation Iraqi Freedom and Operation Enduring Freedom. I was privileged to have Lieutenant Colonel Greene as an escort on several of my own trips.

A tireless worker, he coordinated with all of the relevant agencies and individuals to ensure my overseas travel was always successful. I am extremely grateful for the service he provided me and my staff during those trips.

During his distinguished Army career, Lieutenant Colonel Greene has been awarded numerous accolades, including the Defense Meritorious Medal, four Meritorious Service Medals, five Army Accommodation Medals, two Army Achievement Medals, the Expert Infantry Badge, the Ranger Tab, and Parachutist and Air Assault Badge.

Lieutenant Colonel Greene's faithful service, leadership, loyalty, and dedication to duty uphold the highest traditions of military service, and he has repeatedly stood for the defense of this Nation. His devotion to the defense of liberty epitomizes the words soldier, patriot and American.

I hope my colleagues will join me in thanking Lieutenant Colonel Craig M. Greene for his service to our Nation and the U.S. Army. I thank his wife, Michelle, and his sons, Jackson and Austin, for their support while he fulfilled this essential duty to our country. I personally wish the Greene family all the best as they celebrate Lieutenant Colonel Greene's richly deserved retirement.●

NIKE INC.

● Mr. SMITH. Mr. President, I wish to highlight the importance of acknowledging and celebrating extraordinary efforts by individuals and companies that are leading the way in protecting and preserving America's natural resources. I am honored to congratulate the leadership and employees of Nike Inc., headquartered in my State of Oregon.

According to a new scorecard released by nonprofit group Climate Counts, Nike ranked first among the United States' most climate-friendly companies. The scorecard, first released in June 2007, grades major corporations in well-known consumer sectors from apparel to electronics to fast food—on their commitment to reversing climate change. Nike was judged to have one of the strongest and most transparent programs to reduce climate change among well-known brands across nine industry sectors.

Nike has taken aggressive steps to address climate change, including establishing clear goals for lowering carbon emissions at its facilities around the world, designing sustainable products with environmentally preferable materials, purchasing renewable power, and offsetting the emissions from Nike business travel. More importantly, Nike is exporting not only their world class products, but they are also exporting the values of sustainability throughout the world as they continue their efforts to reduce the company's carbon footprint in its contract manufacturing facilities in Asia.

We can also see Nike's commitment to this effort in another very real way. Nike has been a leader in developing sustainable products and components since its inception. Most recently, Nike unveiled the Air Native N7 shoe designed for Native Americans. The N7 in the name is a reference to the seventh generation theory, used by many Native American tribes to look to the three generations preceding them for wisdom and the three generations ahead for their legacy. By designing this sustainable shoe, Nike is looking ahead to a future that must include greater awareness in protecting our en-

vironment and natural resources for the generations to follow.

My home State of Oregon continues to build on a long history of innovation in environmental policy and practice. Nike proves once again that everyone doing their small part can achieve huge successes. Nike's legacy continues to grow as they lead the way as an extremely successful company but not forgetting about how important it is to preserve and protect the natural resources around us. I commend the leadership and employees with the Nike team for their stellar efforts and pledge my full support as they move forward.●

MESSAGE FROM THE HOUSE

At 11:35 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the amendments of the Senate to an amendment of the House to the amendment of the Senate to the bill (H.R. 2642) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, with an amendment; and has agreed to the Senate engrossed amendment with an amendment.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5511. An act to direct the Secretary of the Interior, acting through the Bureau of Reclamation, to remedy problems caused by a collapsed drainage tunnel in Leadville, Colorado, and for other purposes.

H.R. 5710. An act to authorize the Secretary of the Interior to provide financial assistance to the Eastern New Mexico Rural Water Authority for the planning, design, and construction of the Eastern New Mexico Rural Water System, and for other purposes.

H.R. 5781. An act to provide that 8 of the 12 weeks of parental leave made available to a Federal employee shall be paid leave, and for other purposes.

H.R. 6063. An act to authorize the programs of the National Aeronautics and Space Administration, and for other purposes.

H.R. 6085. An act to designate the facility of the United States Postal Service located at 42222 Rancho Las Palmas Drive in Rancho Mirage, California, as the "Gerald R. Ford Post Office Building".

H.R. 6150. An act to designate the facility of the United States Postal Service located at 14500 Lorain Avenue in Cleveland, Ohio, as the "John P. Gallagher Post Office Building".

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 350. Concurrent resolution expressing the sense of the Congress that the United States, through the International Whaling Commission, should use all appropriate measures to end commercial whaling in all of its forms, including scientific and other special permit whaling, coastal whaling, and community-based whaling, and seek to strengthen the conservation and management measures to facilitate the conservation of whale species, and for other purposes.

MESSAGE FROM THE HOUSE DURING ADJOURNMENT

Under authority of the order of the Senate of June 20, 2008, the Secretary of the Senate, on June 20, 2008, during the adjournment of the Senate, received a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announcing that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 6304. An act to amend the Foreign Intelligence Surveillance Act of 1978 to establish a procedure for authorizing certain acquisitions of foreign intelligence, and for other purposes.

MEASURES REFERRED

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

H.R. 5511. An act to direct the Secretary of the Interior, acting through the Bureau of Reclamation, to remedy problems caused by a collapsed drainage tunnel in Leadville, Colorado, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5781. An act to provide that 8 of the 12 weeks of parental leave made available to a Federal employee shall be paid leave, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6063. An act to authorize the programs of the National Aeronautics and Space Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 6085. An act to designate the facility of the United States Postal Service located at 42222 Rancho Las Palmas Drive in Rancho Mirage, California, as the "Gerald R. Ford Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6150. An act to designate the facility of the United States Postal Service located at 14500 Lorain Avenue in Cleveland, Ohio, as the "John P. Gallagher Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 350. Concurrent resolution expressing the sense of the Congress that the United States, through the International Whaling Commission, should use all appropriate measures to end commercial whaling in all of its forms, including scientific and other special permit whaling, coastal whaling, and community-based whaling, and seek to strengthen the conservation and management measures to facilitate the conservation of whale species, and for other purposes; to the Committee on Foreign Relations.

MEASURES PLACED ON THE CALENDAR

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 5710. An act to authorize the Secretary of the Interior to provide financial assistance to the Eastern New Mexico Rural Water Authority for the planning, design, and construction of the Eastern New Mexico Rural Water System, and for other purposes.

MEASURES PLACED ON THE CALENDAR DURING ADJOURNMENT OF SENATE

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 6304. An act to amend the Foreign Intelligence Surveillance Act of 1978 to establish a procedure for authorizing certain acquisitions of foreign intelligence, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. ROCKEFELLER:

S. 3173. A bill to amend part E of title IV of the Social Security Act to allow children in foster care to be placed with their parents in residential family treatment centers that provide safe environments for treating addiction and promoting healthy parenting; to the Committee on Finance.

By Mr. LAUTENBERG (for himself, Mr. MENENDEZ, Mrs. CLINTON, and Mr. SCHUMER):

S. 3174. A bill to improve port and intermodal supply chain security; to the Committee on Commerce, Science, and Transportation.

By Mr. LIEBERMAN (for himself and Ms. COLLINS):

S. 3175. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to reauthorize the predisaster hazard mitigation program, to make technical corrections to that Act, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DURBIN (for himself and Mr. HAGEL):

S. Res. 597. A resolution designating June 2008, as "'Wait Wait . . . Don't Tell Me!' Recognition Month"; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 1459

At the request of Mr. MENENDEZ, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 1459, a bill to strengthen the Nation's research efforts to identify the causes and cure of psoriasis and psoriatic arthritis, expand psoriasis and psoriatic arthritis data collection, study access to and quality of care for people with psoriasis and psoriatic arthritis, and for other purposes.

S. 2099

At the request of Mr. SALAZAR, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from North Dakota (Mr. CONRAD) were added as cosponsors of S. 2099, a bill to amend title XVIII of the Social Security Act to repeal the Medicare competitive bidding project for clinical laboratory services.

S. 2173

At the request of Mr. HARKIN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2173, a bill to amend the Elementary and Secondary Education Act of 1965 to improve standards for physical education.

S. 2369

At the request of Mr. BAUCUS, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 2369, a bill to amend title 35, United States Code, to provide that certain tax planning inventions are not patentable, and for other purposes.

S. 2705

At the request of Mr. DURBIN, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 2705, a bill to authorize programs to increase the number of nurses within the Armed Forces through assistance for service as nurse faculty or education as nurses, and for other purposes.

S. 3038

At the request of Mr. GRASSLEY, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 3038, a bill to amend part E of title IV of the Social Security Act to extend the adoption incentives program, to authorize States to establish a relative guardianship program, to promote the adoption of children with special needs, and for other purposes.

S. 3167

At the request of Mr. BURR, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 3167, a bill to amend title 38, United States Code, to clarify the conditions under which veterans, their surviving spouses, and their children may be treated as adjudicated mentally incompetent for certain purposes.

AMENDMENT NO. 5013

At the request of Mr. TESTER, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of amendment No. 5013 intended to be proposed to H.R. 3221, a bill to provide needed housing reform and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROCKEFELLER:

S. 3173. A bill to amend part E of title IV of the Social Security Act to allow children in foster care to be placed with their parents in residential family treatment centers that provide safe environments for treating addiction and promoting healthy parenting; to the Committee on Finance.

Mr. ROCKEFELLER. Mr. President, I rise before you today to introduce the Keeping Families Safe Act of 2008 which seeks to keep families together when a parent is in a residential substance abuse treatment facility. Numerous studies have shown the benefits of keeping families united as a parent undergoes substance abuse treatment.

In fact, one study found that 60 percent of mothers who participated in the Pregnant and Postpartum Women and Their Infants program were completely clean and sober six months after their discharge. This same study found that 88 percent of these children were still with their mothers six months after the mother was discharged. However, only 5 percent of all substances abuse treatment facilities are able to accommodate children.

Congress has shown support for comprehensive family based substance abuse treatment facilities in the past. In 2006, Congress passed the Deficit Reduction Act, which included a \$40 million grant program, to promote two key goals, substance abuse services for families in the child welfare system, and regular caseworker visits.

The Keeping Families Safe Act is one way to invest in children and families. This legislation would allow children, who are in foster care, to be with their parent while he or she is receiving treatment at residential comprehensive family-based substance abuse treatment centers. These facilities provide comprehensive services to both parent and child. If this family based approach is not available, these children would often be forced to claim Federal funding in the foster care system. By using these funds instead to go to the residential facility with their parent, the chances for success are much greater.

Family based substance abuse treatment centers have proven to be an effective means of treating substance abuse and reuniting families. Many of the parents in treatment are there in hopes of overcoming their addiction and reuniting with their children. This bill is designed to give them that chance. I urge my colleagues to support this important legislation to help keep families together and provide another funding source for these important facilities.

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

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

S. 3173

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Keeping Families Safe Act of 2008".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The 2001 report by the Center for Substance Abuse Treatment (CSAT) of the Pregnant and Postpartum Women and Their Infants Program, which provides comprehensive, family-based treatment for substance abusing mothers and their children, found that at 6 months post treatment—

(A) 60 percent of the mothers remained alcohol and drug-free;

(B) drug-related offenses declined from 28 percent to 7 percent; and

(C) 75 percent of the mothers had physical custody of 1 or more children.

(2) The 2003 evaluation of the Center for Substance Abuse Treatment (CSAT) of the

Pregnant and Postpartum Women and Their Infants Program of 24 residential family-based treatment programs 6 months after treatment revealed the following successful outcomes for mothers and their children:

(A) 60 percent of the mothers in the programs remained completely clean and sober 6 months after discharge.

(B) 44 percent of the children in the programs were returned to their mothers from foster care.

(C) 88 percent of the children treated in the programs with their mothers remained stabilized and living with their mothers, 6 months after discharge.

(3) The Center for Substance Abuse Treatment (CSAT) of the Pregnant and Postpartum Women and Their Infants Program has found that rates of premature delivery, low birth weight, and infant mortality were improved for women who participated in the program, the costs of treating such women were offset by as much as 3 to 4 times the savings that resulted from reduced costs of crime, foster care, Temporary Assistance to Needy Families (TANF) assistance, and adverse birth outcomes.

SEC. 3. AUTHORITY FOR STATES TO MAKE FOSTER CARE MAINTENANCE PAYMENTS TO RESIDENTIAL FAMILY TREATMENT CENTERS.

(a) IN GENERAL.—

(1) IN GENERAL.—Section 472 of the Social Security Act (42 U.S.C. 672) is amended—

(A) in subsection (b)(2)—

(i) by inserting “or a residential family treatment center” after “child-care institution”; and

(ii) by inserting “or residential family treatment center” after “such institution”; and

(B) in subsection (c)—

(i) by striking “and” before “(2)”; and

(ii) by inserting before the period at the end the following: “; and (3) the term ‘residential family treatment center’ means a State licensed program that enables parents and their children to live in a safe environment for a period of not less than 6 months and provides, on-site or by referral, substance abuse treatment services, children’s early intervention services, family counseling, legal services, medical care, mental health services, nursery and preschool, parenting skills training, pediatric care, prenatal care, sexual abuse therapy, relapse prevention, transportation, and job or vocational training or classes leading to a secondary school diploma or a certificate of general equivalence”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on October 1, 2008, without regard to whether regulations implementing such amendments are promulgated by such date.

(b) EVALUATION AND REPORT.—The Secretary of Health and Human Services shall, by grant, contract, or interagency agreement, evaluate the foster care maintenance payments made under section 472(b)(2) of the Social Security Act on behalf of a child who is in a residential family treatment center (as amended by subsection (a)(1)(A)) and, not later than 3 years after the date of enactment of this Act, shall submit a report to Congress on the results of such evaluation that includes an analysis of the outcomes for the children in foster care on whose behalf such payments are made.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 597—DESIGNATING JUNE 2008, AS “‘WAIT WAIT . . . DON’T TELL ME!’ RECOGNITION MONTH”

Mr. DURBIN (for himself and Mr. HAGEL) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 597

Whereas “Wait Wait . . . Don’t Tell Me!”, the National Public Radio news quiz show, which uses current news stories for questions and comedy, is celebrating the 10th anniversary of the show’s premiere in 1998;

Whereas the programming and content created and distributed by National Public Radio is based on 3 core values, qualities of mind, qualities of heart, and qualities of craft (and despite those core values, National Public Radio still airs shows like “Wait Wait . . . Don’t Tell Me!” with a straight corporate face);

Whereas, in 2008, “Wait Wait . . . Don’t Tell Me!” was named a winner of the George Foster Peabody Award, the oldest and most prestigious award in broadcasting (probably due to George Foster Peabody’s lifelong commitment to self-aggrandizing entertainers, spectacularly dumb criminals, and overly earnest scientists, who comprise the inspiration for the show);

Whereas “Wait Wait . . . Don’t Tell Me!” carries on the tradition of humor that is part of our Second City by taping its show in the Chase Auditorium in downtown Chicago, Illinois (which may be the only place in the United States where people pay for tickets to watch a radio show that is broadcast for free);

Whereas President John F. Kennedy once said, “I look forward to an America which will steadily raise the standards of artistic accomplishment and which will steadily enlarge cultural opportunities for all of our citizens.” (making it clear that President Kennedy never could have imagined “Wait Wait . . . Don’t Tell Me!”);

Whereas notable Americans such as Supreme Court Justice Stephen Breyer, actor Tom Hanks, United States Attorney Patrick Fitzgerald, New York Times columnist William Safire, and White House Press Secretary Dana Perino have appeared on the show (and luckily, few have suffered any significant, long-term damage to their careers);

Whereas “Wait Wait . . . Don’t Tell Me!” host Peter Sagal and veteran newsmen Carl Kasell have been described as “the perfect team to liven up a Saturday” (rendering them entirely unsuitable for any gainful employment);

Whereas “Wait Wait . . . Don’t Tell Me!” finds expression through a recognition that you don’t have to be a professional comedian to be humorous (a premise proven each week by a rotating panel of humorists, journalists, and others, including Roy Blount, Jr., Tom Bodett, Amy Dickinson, Adam Felber, Kyrie O’Connor, P.J. O’Rourke, Paula Poundstone, Paul Provenza, Charlie Pierce, Roxanne Roberts, and Mo Rocca); and

Whereas “Wait Wait . . . Don’t Tell Me!”, produced by National Public Radio and Chicago Public Radio, airs on nearly 450 National Public Radio member stations, and its audience has grown in every ratings period since its premiere in January 1998 (growth that is directly proportional to the boundless egos of the show’s creator and Executive Producer Doug Berman, Senior Producer Rod Abid, producers Mike Danforth, Emily Ecton, and Melody Kramer, technical directors Lorna White and Robert Neuhaus, and

limericist Philipp Goedicke): Now, therefore, be it

Resolved, That the Senate—

(1) designates June 2008 as “‘Wait Wait . . . Don’t Tell Me!’ Recognition Month”; and

(2) celebrates the show for its contributions to the Nation’s enduring creative spirit and for always bringing smiles to America’s Saturday mornings.

AMENDMENTS SUBMITTED AND PROPOSED

SA 5020. Mr. ENSIGN (for himself, Mr. SUNUNU, Mr. DOMENICI, Mr. ROBERTS, Ms. COLLINS, Mr. HATCH, Mr. ENZI, and Mrs. DOLE) submitted an amendment intended to be proposed to amendment SA 4983 proposed by Mr. REID (for Mr. DODD (for himself and Mr. SHELBY)) to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table.

SA 5021. Ms. STABENOW (for herself and Mr. LEVIN) submitted an amendment intended to be proposed by her to the bill H.R. 3221, supra; which was ordered to lie on the table.

SA 5022. Mr. SANDERS (for himself, Mr. COLEMAN, Mr. KERRY, Ms. COLLINS, Mr. BROWN, Mr. KENNEDY, and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 4983 proposed by Mr. REID (for Mr. DODD (for himself and Mr. SHELBY)) to the bill H.R. 3221, supra; which was ordered to lie on the table.

SA 5023. Mr. KOHL submitted an amendment intended to be proposed by him to the bill H.R. 3221, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 5020. Mr. ENSIGN (for himself, Mr. SUNUNU, Mr. DOMENICI, Mr. ROBERTS, Ms. COLLINS, Mr. HATCH, Mr. ENZI, and Mrs. DOLE) submitted an amendment intended to be proposed to amendment SA 4983 proposed by Mr. REID (for Mr. DODD (for himself and Mr. SHELBY)) to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table; as follows:

At the end of division C, add the following:

TITLE —CLEAN ENERGY TAX STIMULUS SEC. 01. SHORT TITLE.

This title may be cited as the “Clean Energy Tax Stimulus Act of 2008”.

Subtitle A—Extension of Clean Energy Production Incentives SEC. 11. EXTENSION AND MODIFICATION OF RENEWABLE ENERGY PRODUCTION TAX CREDIT.

(a) EXTENSION OF CREDIT.—Each of the following provisions of section 45(d) (relating to

qualified facilities) is amended by striking “January 1, 2009” and inserting “January 1, 2010”:

- (1) Paragraph (1).
- (2) Clauses (i) and (ii) of paragraph (2)(A).
- (3) Clauses (i)(I) and (ii) of paragraph (3)(A).
- (4) Paragraph (4).
- (5) Paragraph (5).
- (6) Paragraph (6).
- (7) Paragraph (7).
- (8) Paragraph (8).
- (9) Subparagraphs (A) and (B) of paragraph (9).

(b) **PRODUCTION CREDIT FOR ELECTRICITY PRODUCED FROM MARINE RENEWABLES.**—

(1) **IN GENERAL.**—Paragraph (1) of section 45(c) (relating to resources) is amended by striking “and” at the end of subparagraph (G), by striking the period at the end of subparagraph (H) and inserting “, and”, and by adding at the end the following new subparagraph:

“(I) marine and hydrokinetic renewable energy.”

(2) **MARINE RENEWABLES.**—Subsection (c) of section 45 is amended by adding at the end the following new paragraph:

“(10) **MARINE AND HYDROKINETIC RENEWABLE ENERGY.**—

“(A) **IN GENERAL.**—The term ‘marine and hydrokinetic renewable energy’ means energy derived from—

“(i) waves, tides, and currents in oceans, estuaries, and tidal areas,

“(ii) free flowing water in rivers, lakes, and streams,

“(iii) free flowing water in an irrigation system, canal, or other man-made channel, including projects that utilize nonmechanical structures to accelerate the flow of water for electric power production purposes, or

“(iv) differentials in ocean temperature (ocean thermal energy conversion).”

“(B) **EXCEPTIONS.**—Such term shall not include any energy which is derived from any source which utilizes a dam, diversionary structure (except as provided in subparagraph (A)(iii)), or impoundment for electric power production purposes.”

(3) **DEFINITION OF FACILITY.**—Subsection (d) of section 45 is amended by adding at the end the following new paragraph:

“(11) **MARINE AND HYDROKINETIC RENEWABLE ENERGY FACILITIES.**—In the case of a facility producing electricity from marine and hydrokinetic renewable energy, the term ‘qualified facility’ means any facility owned by the taxpayer—

“(A) which has a nameplate capacity rating of at least 150 kilowatts, and

“(B) which is originally placed in service on or after the date of the enactment of this paragraph and before January 1, 2010.”

(4) **CREDIT RATE.**—Subparagraph (A) of section 45(b)(4) is amended by striking “or (9)” and inserting “(9), or (11)”.

(5) **COORDINATION WITH SMALL IRRIGATION POWER.**—Paragraph (5) of section 45(d), as amended by subsection (a), is amended by striking “January 1, 2010” and inserting “the date of the enactment of paragraph (11)”.

(c) **SALES OF ELECTRICITY TO REGULATED PUBLIC UTILITIES TREATED AS SALES TO UNRELATED PERSONS.**—Section 45(e)(4) (relating to related persons) is amended by adding at the end the following new sentence: “A taxpayer shall be treated as selling electricity to an unrelated person if such electricity is sold to a regulated public utility (as defined in section 7701(a)(33)).”

(d) **TRASH FACILITY CLARIFICATION.**—Paragraph (7) of section 45(d) is amended—

(1) by striking “facility which burns” and inserting “facility (other than a facility described in paragraph (6)) which uses”, and

(2) by striking “COMBUSTION”.

(e) **EFFECTIVE DATES.**—

(1) **EXTENSION.**—The amendments made by subsection (a) shall apply to property originally placed in service after December 31, 2008.

(2) **MODIFICATIONS.**—The amendments made by subsections (b) and (c) shall apply to electricity produced and sold after the date of the enactment of this Act, in taxable years ending after such date.

(3) **TRASH FACILITY CLARIFICATION.**—The amendments made by subsection (d) shall apply to electricity produced and sold before, on, or after December 31, 2007.

SEC. 12. EXTENSION AND MODIFICATION OF SOLAR ENERGY AND FUEL CELL INVESTMENT TAX CREDIT.

(a) **EXTENSION OF CREDIT.**—

(1) **SOLAR ENERGY PROPERTY.**—Paragraphs (2)(A)(i)(II) and (3)(A)(ii) of section 48(a) (relating to energy credit) are each amended by striking “January 1, 2009” and inserting “January 1, 2017”.

(2) **FUEL CELL PROPERTY.**—Subparagraph (B) of section 48(c)(1) (relating to qualified fuel cell property) is amended by striking “December 31, 2008” and inserting “December 31, 2016”.

(3) **QUALIFIED MICROTURBINE PROPERTY.**—Subparagraph (E) of section 48(c)(2) (relating to qualified microturbine property) is amended by striking “December 31, 2008” and inserting “December 31, 2016”.

(b) **ALLOWANCE OF ENERGY CREDIT AGAINST ALTERNATIVE MINIMUM TAX.**—Subparagraph (B) of section 38(c)(4) (relating to specified credits) is amended by striking “and” at the end of clause (iii), by striking the period at the end of clause (iv) and inserting “, and”, and by adding at the end the following new clause:

“(v) the credit determined under section 46 to the extent that such credit is attributable to the energy credit determined under section 48.”

(c) **REPEAL OF DOLLAR PER KILOWATT LIMITATION FOR FUEL CELL PROPERTY.**—

(1) **IN GENERAL.**—Section 48(c)(1) (relating to qualified fuel cell), as amended by subsection (a)(2), is amended by striking subparagraph (B) and by redesignating subparagraphs (C), (D), and (E) as subparagraphs (B), (C), and (D), respectively.

(2) **CONFORMING AMENDMENT.**—Section 48(a)(1) is amended by striking “paragraphs (1)(B) and (2)(B) of subsection (c)” and inserting “subsection (c)(2)(B)”.

(d) **PUBLIC ELECTRIC UTILITY PROPERTY TAKEN INTO ACCOUNT.**—

(1) **IN GENERAL.**—Paragraph (3) of section 48(a) is amended by striking the second sentence thereof.

(2) **CONFORMING AMENDMENTS.**—

(A) Paragraph (1) of section 48(c), as amended by this section, is amended by striking subparagraph (C) and redesignating subparagraph (D) as subparagraph (C).

(B) Paragraph (2) of section 48(c), as amended by subsection (a)(3), is amended by striking subparagraph (D) and redesignating subparagraph (E) as subparagraph (D).

(e) **EFFECTIVE DATES.**—

(1) **EXTENSION.**—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act.

(2) **ALLOWANCE AGAINST ALTERNATIVE MINIMUM TAX.**—The amendments made by subsection (b) shall apply to credits determined under section 46 of the Internal Revenue Code of 1986 in taxable years beginning after the date of the enactment of this Act and to carrybacks of such credits.

(3) **FUEL CELL PROPERTY AND PUBLIC ELECTRIC UTILITY PROPERTY.**—The amendments made by subsections (c) and (d) shall apply to periods after the date of the enactment of this Act, in taxable years ending after such date, under rules similar to the rules of sec-

tion 48(m) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990).

SEC. 13. EXTENSION AND MODIFICATION OF RESIDENTIAL ENERGY EFFICIENT PROPERTY CREDIT.

(a) **EXTENSION.**—Section 25D(g) (relating to termination) is amended by striking “December 31, 2008” and inserting “December 31, 2009”.

(b) **NO DOLLAR LIMITATION FOR CREDIT FOR SOLAR ELECTRIC PROPERTY.**—

(1) **IN GENERAL.**—Section 25D(b)(1) (relating to maximum credit) is amended by striking subparagraph (A) and by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively.

(2) **CONFORMING AMENDMENTS.**—Section 25D(e)(4) is amended—

(A) by striking clause (i) in subparagraph (A).

(B) by redesignating clauses (ii) and (iii) in subparagraph (A) as clauses (i) and (ii), respectively, and

(C) by striking “, (2),” in subparagraph (C).

(c) **CREDIT ALLOWED AGAINST ALTERNATIVE MINIMUM TAX.**—

(1) **IN GENERAL.**—Subsection (c) of section 25D is amended to read as follows:

“(c) **LIMITATION BASED ON AMOUNT OF TAX; CARRYFORWARD OF UNUSED CREDIT.**—

“(1) **LIMITATION BASED ON AMOUNT OF TAX.**—In the case of a taxable year to which section 26(a)(2) does not apply, the credit allowed under subsection (a) for the taxable year shall not exceed the excess of—

“(A) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

“(B) the sum of the credits allowable under this subpart (other than this section) and section 27 for the taxable year.

“(2) **CARRYFORWARD OF UNUSED CREDIT.**—

“(A) **RULE FOR YEARS IN WHICH ALL PERSONAL CREDITS ALLOWED AGAINST REGULAR AND ALTERNATIVE MINIMUM TAX.**—In the case of a taxable year to which section 26(a)(2) applies, if the credit allowable under subsection (a) exceeds the limitation imposed by section 26(a)(2) for such taxable year reduced by the sum of the credits allowable under this subpart (other than this section), such excess shall be carried to the succeeding taxable year and added to the credit allowable under subsection (a) for such succeeding taxable year.

“(B) **RULE FOR OTHER YEARS.**—In the case of a taxable year to which section 26(a)(2) does not apply, if the credit allowable under subsection (a) exceeds the limitation imposed by paragraph (1) for such taxable year, such excess shall be carried to the succeeding taxable year and added to the credit allowable under subsection (a) for such succeeding taxable year.”

(2) **CONFORMING AMENDMENTS.**—

(A) Section 23(b)(4)(B) is amended by inserting “and section 25D” after “this section”.

(B) Section 24(b)(3)(B) is amended by striking “and 25B” and inserting “, 25B, and 25D”.

(C) Section 25B(g)(2) is amended by striking “section 23” and inserting “sections 23 and 25D”.

(D) Section 26(a)(1) is amended by striking “and 25B” and inserting “25B, and 25D”.

(d) **EFFECTIVE DATE.**—

(1) **IN GENERAL.**—The amendments made by this section shall apply to taxable years beginning after December 31, 2007.

(2) **APPLICATION OF EGTRRA SUNSET.**—The amendments made by subparagraphs (A) and (B) of subsection (c)(2) shall be subject to title IX of the Economic Growth and Tax Relief Reconciliation Act of 2001 in the same manner as the provisions of such Act to which such amendments relate.

SEC. 14. EXTENSION AND MODIFICATION OF CREDIT FOR CLEAN RENEWABLE ENERGY BONDS.

(a) EXTENSION.—Section 54(m) (relating to termination) is amended by striking “December 31, 2008” and inserting “December 31, 2009”.

(b) INCREASE IN NATIONAL LIMITATION.—Section 54(f) (relating to limitation on amount of bonds designated) is amended—

(1) by inserting “, and for the period beginning after the date of the enactment of the Clean Energy Tax Stimulus Act of 2008 and ending before January 1, 2010, \$400,000,000” after “\$1,200,000,000” in paragraph (1),

(2) by striking “\$750,000,000 of the” in paragraph (2) and inserting “\$750,000,000 of the \$1,200,000,000”, and

(3) by striking “bodies” in paragraph (2) and inserting “bodies, and except that the Secretary may not allocate more than ⅓ of the \$400,000,000 national clean renewable energy bond limitation to finance qualified projects of qualified borrowers which are public power providers nor more than ⅓ of such limitation to finance qualified projects of qualified borrowers which are mutual or cooperative electric companies described in section 501(c)(12) or section 1381(a)(2)(C)”.

(c) PUBLIC POWER PROVIDERS DEFINED.—Section 54(j) is amended—

(1) by adding at the end the following new paragraph:

“(6) PUBLIC POWER PROVIDER.—The term ‘public power provider’ means a State utility with a service obligation, as such terms are defined in section 217 of the Federal Power Act (as in effect on the date of the enactment of this paragraph).”, and

(2) by inserting “; PUBLIC POWER PROVIDER” before the period at the end of the heading.

(d) TECHNICAL AMENDMENT.—The third sentence of section 54(e)(2) is amended by striking “subsection (1)(6)” and inserting “subsection (1)(5)”.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to bonds issued after the date of the enactment of this Act.

SEC. 15. EXTENSION OF SPECIAL RULE TO IMPLEMENT FERC RESTRUCTURING POLICY.

(a) QUALIFYING ELECTRIC TRANSMISSION TRANSACTION.—

(1) IN GENERAL.—Section 451(i)(3) (defining qualifying electric transmission transaction) is amended by striking “January 1, 2008” and inserting “January 1, 2010”.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to transactions after December 31, 2007.

(b) INDEPENDENT TRANSMISSION COMPANY.—

(1) IN GENERAL.—Section 451(i)(4)(B)(ii) (defining independent transmission company) is amended by striking “December 31, 2007” and inserting “the date which is 2 years after the date of such transaction”.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall take effect as if included in the amendments made by section 909 of the American Jobs Creation Act of 2004.

Subtitle B—Extension of Incentives to Improve Energy Efficiency

SEC. 21. EXTENSION AND MODIFICATION OF CREDIT FOR ENERGY EFFICIENCY IMPROVEMENTS TO EXISTING HOMES.

(a) EXTENSION OF CREDIT.—Section 25C(g) (relating to termination) is amended by striking “December 31, 2007” and inserting “December 31, 2009”.

(b) QUALIFIED BIOMASS FUEL PROPERTY.—(1) IN GENERAL.—Section 25C(d)(3) is amended—

(A) by striking “and” at the end of subparagraph (D),

(B) by striking the period at the end of subparagraph (E) and inserting “, and”, and

(C) by adding at the end the following new subparagraph:

“(F) a stove which uses the burning of biomass fuel to heat a dwelling unit located in the United States and used as a residence by the taxpayer, or to heat water for use in such a dwelling unit, and which has a thermal efficiency rating of at least 75 percent.”.

(2) BIOMASS FUEL.—Section 25C(d) (relating to residential energy property expenditures) is amended by adding at the end the following new paragraph:

“(6) BIOMASS FUEL.—The term ‘biomass fuel’ means any plant-derived fuel available on a renewable or recurring basis, including agricultural crops and trees, wood and wood waste and residues (including wood pellets), plants (including aquatic plants), grasses, residues, and fibers.”.

(c) MODIFICATIONS OF STANDARDS FOR ENERGY-EFFICIENT BUILDING PROPERTY.—

(1) ELECTRIC HEAT PUMPS.—Subparagraph (B) of section 25C(d)(3) is amended to read as follows:

“(A) an electric heat pump which achieves the highest efficiency tier established by the Consortium for Energy Efficiency, as in effect on January 1, 2008.”.

(2) CENTRAL AIR CONDITIONERS.—Section 25C(d)(3)(D) is amended by striking “2006” and inserting “2008”.

(3) WATER HEATERS.—Subparagraph (E) of section 25C(d) is amended to read as follows:

“(E) a natural gas, propane, or oil water heater which has either an energy factor of at least 0.80 or a thermal efficiency of at least 90 percent.”.

(4) OIL FURNACES AND HOT WATER BOILERS.—Paragraph (4) of section 25C(d) is amended to read as follows:

“(4) QUALIFIED NATURAL GAS, PROPANE, AND OIL FURNACES AND HOT WATER BOILERS.—

“(A) QUALIFIED NATURAL GAS FURNACE.—The term ‘qualified natural gas furnace’ means any natural gas furnace which achieves an annual fuel utilization efficiency rate of not less than 95.

“(B) QUALIFIED NATURAL GAS HOT WATER BOILER.—The term ‘qualified natural gas hot water boiler’ means any natural gas hot water boiler which achieves an annual fuel utilization efficiency rate of not less than 90.

“(C) QUALIFIED PROPANE FURNACE.—The term ‘qualified propane furnace’ means any propane furnace which achieves an annual fuel utilization efficiency rate of not less than 95.

“(D) QUALIFIED PROPANE HOT WATER BOILER.—The term ‘qualified propane hot water boiler’ means any propane hot water boiler which achieves an annual fuel utilization efficiency rate of not less than 90.

“(E) QUALIFIED OIL FURNACES.—The term ‘qualified oil furnace’ means any oil furnace which achieves an annual fuel utilization efficiency rate of not less than 90.

“(F) QUALIFIED OIL HOT WATER BOILER.—The term ‘qualified oil hot water boiler’ means any oil hot water boiler which achieves an annual fuel utilization efficiency rate of not less than 90.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to expenditures made after December 31, 2007.

SEC. 22. EXTENSION AND MODIFICATION OF TAX CREDIT FOR ENERGY EFFICIENT NEW HOMES.

(a) EXTENSION OF CREDIT.—Subsection (g) of section 45L (relating to termination) is amended by striking “December 31, 2008” and inserting “December 31, 2010”.

(b) ALLOWANCE FOR CONTRACTOR’S PERSONAL RESIDENCE.—Subparagraph (B) of section 45L(a)(1) is amended to read as follows:

“(B)(i) acquired by a person from such eligible contractor and used by any person as a residence during the taxable year, or

“(ii) used by such eligible contractor as a residence during the taxable year.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to homes acquired after December 31, 2008.

SEC. 23. EXTENSION AND MODIFICATION OF ENERGY EFFICIENT COMMERCIAL BUILDINGS DEDUCTION.

(a) EXTENSION.—Section 179D(h) (relating to termination) is amended by striking “December 31, 2008” and inserting “December 31, 2009”.

(b) ADJUSTMENT OF MAXIMUM DEDUCTION AMOUNT.—

(1) IN GENERAL.—Subparagraph (A) of section 179D(b)(1) (relating to maximum amount of deduction) is amended by striking “\$1.80” and inserting “\$2.25”.

(2) PARTIAL ALLOWANCE.—Paragraph (1) of section 179D(d) is amended—

(A) by striking “\$.60” and inserting “\$.75”, and

(B) by striking “\$1.80” and inserting “\$2.25”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act.

SEC. 24. MODIFICATION AND EXTENSION OF ENERGY EFFICIENT APPLIANCE CREDIT FOR APPLIANCES PRODUCED AFTER 2007.

(a) IN GENERAL.—Subsection (b) of section 45M (relating to applicable amount) is amended to read as follows:

“(b) APPLICABLE AMOUNT.—For purposes of subsection (a)—

“(1) DISHWASHERS.—The applicable amount is—

“(A) \$45 in the case of a dishwasher which is manufactured in calendar year 2008 or 2009 and which uses no more than 324 kilowatt hours per year and 5.8 gallons per cycle, and

“(B) \$75 in the case of a dishwasher which is manufactured in calendar year 2008, 2009, or 2010 and which uses no more than 307 kilowatt hours per year and 5.0 gallons per cycle (5.5 gallons per cycle for dishwashers designed for greater than 12 place settings).

“(2) CLOTHES WASHERS.—The applicable amount is—

“(A) \$75 in the case of a residential top-loading clothes washer manufactured in calendar year 2008 which meets or exceeds a 1.72 modified energy factor and does not exceed a 8.0 water consumption factor,

“(B) \$125 in the case of a residential top-loading clothes washer manufactured in calendar year 2008 or 2009 which meets or exceeds a 1.8 modified energy factor and does not exceed a 7.5 water consumption factor,

“(C) \$150 in the case of a residential or commercial clothes washer manufactured in calendar year 2008, 2009, or 2010 which meets or exceeds 2.0 modified energy factor and does not exceed a 6.0 water consumption factor, and

“(D) \$250 in the case of a residential or commercial clothes washer manufactured in calendar year 2008, 2009, or 2010 which meets or exceeds 2.2 modified energy factor and does not exceed a 4.5 water consumption factor.

“(3) REFRIGERATORS.—The applicable amount is—

“(A) \$50 in the case of a refrigerator which is manufactured in calendar year 2008, and consumes at least 20 percent but not more than 22.9 percent less kilowatt hours per year than the 2001 energy conservation standards,

“(B) \$75 in the case of a refrigerator which is manufactured in calendar year 2008 or 2009, and consumes at least 23 percent but no more than 24.9 percent less kilowatt hours

per year than the 2001 energy conservation standards.

“(C) \$100 in the case of a refrigerator which is manufactured in calendar year 2008, 2009, or 2010, and consumes at least 25 percent but not more than 29.9 percent less kilowatt hours per year than the 2001 energy conservation standards, and

“(D) \$200 in the case of a refrigerator manufactured in calendar year 2008, 2009, or 2010 and which consumes at least 30 percent less energy than the 2001 energy conservation standards.”

(b) ELIGIBLE PRODUCTION.—

(1) SIMILAR TREATMENT FOR ALL APPLIANCES.—Subsection (c) of section 45M (relating to eligible production) is amended—

(A) by striking paragraph (2),

(B) by striking “(1) IN GENERAL” and all that follows through “the eligible” and inserting “The eligible”, and

(C) by moving the text of such subsection in line with the subsection heading and redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively.

(2) MODIFICATION OF BASE PERIOD.—Paragraph (2) of section 45M(c), as amended by paragraph (1) of this section, is amended by striking “3-calendar year” and inserting “2-calendar year”.

(c) TYPES OF ENERGY EFFICIENT APPLIANCES.—Subsection (d) of section 45M (defining types of energy efficient appliances) is amended to read as follows:

“(d) TYPES OF ENERGY EFFICIENT APPLIANCE.—For purposes of this section, the types of energy efficient appliances are—

“(1) dishwashers described in subsection (b)(1),

“(2) clothes washers described in subsection (b)(2), and

“(3) refrigerators described in subsection (b)(3).”

(d) AGGREGATE CREDIT AMOUNT ALLOWED.—

(1) INCREASE IN LIMIT.—Paragraph (1) of section 45M(e) (relating to aggregate credit amount allowed) is amended to read as follows:

“(1) AGGREGATE CREDIT AMOUNT ALLOWED.—The aggregate amount of credit allowed under subsection (a) with respect to a taxpayer for any taxable year shall not exceed \$75,000,000 reduced by the amount of the credit allowed under subsection (a) to the taxpayer (or any predecessor) for all prior taxable years beginning after December 31, 2007.”

(2) EXCEPTION FOR CERTAIN REFRIGERATOR AND CLOTHES WASHERS.—Paragraph (2) of section 45M(e) is amended to read as follows:

“(2) AMOUNT ALLOWED FOR CERTAIN REFRIGERATORS AND CLOTHES WASHERS.—Refrigerators described in subsection (b)(3)(D) and clothes washers described in subsection (b)(2)(D) shall not be taken into account under paragraph (1).”

(e) QUALIFIED ENERGY EFFICIENT APPLIANCES.—

(1) IN GENERAL.—Paragraph (1) of section 45M(f) (defining qualified energy efficient appliance) is amended to read as follows:

“(1) QUALIFIED ENERGY EFFICIENT APPLIANCE.—The term ‘qualified energy efficient appliance’ means—

“(A) any dishwasher described in subsection (b)(1),

“(B) any clothes washer described in subsection (b)(2), and

“(C) any refrigerator described in subsection (b)(3).”

(2) CLOTHES WASHER.—Section 45M(f)(3) (defining clothes washer) is amended by inserting “commercial” before “residential” the second place it appears.

(3) TOP-LOADING CLOTHES WASHER.—Subsection (f) of section 45M (relating to definitions) is amended by redesignating paragraphs (4), (5), (6), and (7) as paragraphs (5),

(6), (7), and (8), respectively, and by inserting after paragraph (3) the following new paragraph:

“(4) TOP-LOADING CLOTHES WASHER.—The term ‘top-loading clothes washer’ means a clothes washer which has the clothes container compartment access located on the top of the machine and which operates on a vertical axis.”

(4) REPLACEMENT OF ENERGY FACTOR.—Section 45M(f)(6), as redesignated by paragraph (3), is amended to read as follows:

“(6) MODIFIED ENERGY FACTOR.—The term ‘modified energy factor’ means the modified energy factor established by the Department of Energy for compliance with the Federal energy conservation standard.”

(5) GALLONS PER CYCLE; WATER CONSUMPTION FACTOR.—Section 45M(f) (relating to definitions), as amended by paragraph (3), is amended by adding at the end the following:

“(9) GALLONS PER CYCLE.—The term ‘gallons per cycle’ means, with respect to a dishwasher, the amount of water, expressed in gallons, required to complete a normal cycle of a dishwasher.

“(10) WATER CONSUMPTION FACTOR.—The term ‘water consumption factor’ means, with respect to a clothes washer, the quotient of the total weighted per-cycle water consumption divided by the cubic foot (or liter) capacity of the clothes washer.”

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to appliances produced after December 31, 2007.

SA 5021. Ms. STABENOW (for herself and Mr. LEVIN) submitted an amendment intended to be proposed by her to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies; reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table; as follows:

On page 455, between lines 14 and 15, insert the following:

SEC. 1606. CLARIFICATION OF DISPOSITION OF CERTAIN PROPERTIES.

Notwithstanding any other provision of law, subtitle A of title II of the Deficit Reduction Act of 2005 (12 U.S.C. 1701z–11 note) and the amendments made by such title shall not apply to any transaction regarding a multifamily real property for which—

(1) the Secretary of Housing and Urban Development has received, before the date of the enactment of such Act, written expressions of interest in purchasing the property from both a city government and the housing commission of such city;

(2) after such receipt, the Secretary acquires title to the property at a foreclosure sale; and

(3) such city government and housing commission have resolved a previous disagreement with respect to the disposition of the property.

SA 5022. Mr. SANDERS (for himself and Mr. COLEMAN, Mr. KERRY, Ms. COLLINS, Mr. BROWN, Mr. KENNEDY, and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 4983 by Mr. REID (for Mr. DODD (for himself and Mr. SHELBY)) to the bill H.R. 3221, moving the United States toward greater energy independence and

security, developing innovative new technologies; reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table; as follows:

At the end of title VI of division A, add the following:

SEC. 1606. LOW-INCOME HOME ENERGY ASSISTANCE APPROPRIATIONS.

(a) IN GENERAL.—In addition to any amounts appropriated under any other provision of Federal law, there is appropriated, out of any money in the Treasury not otherwise appropriated, for fiscal year 2008—

(1) \$1,265,000,000 (to remain available until expended) for making payments under subsections (a) through (d) of section 2604 of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8623); and

(2) \$1,265,000,000 (to remain available until expended) for making payments under section 2604(e) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8623(e)), notwithstanding the designation requirement of section 2602(e) of such Act (42 U.S.C. 8621(e)).

(b) EMERGENCY REQUIREMENT.—The amount provided under this section is designated as an emergency requirement, pursuant to section 204 of S. Con. Res. 21 (110th Congress).

SA 5023. Mr. KOHL submitted an amendment intended to be proposed by him to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table; as follows:

At the end of division B, add the following:

TITLE VII—FORECLOSURE RESCUE FRAUD PROTECTION

SEC. 2701. SHORT TITLE.

This title may be cited as the “Foreclosure Rescue Fraud Act of 2008”.

SEC. 2702. DEFINITIONS.

In this title:

(1) COMMISSION.—The term “Commission” means the Federal Trade Commission.

(2) FORECLOSURE CONSULTANT.—The term “foreclosure consultant”:

(A) means a person who makes any solicitation, representation, or offer to a homeowner facing foreclosure on residential real property to perform, for gain, or who performs, for gain, any service that such person represents will prevent, postpone, or reverse the effect of such foreclosure; and

(B) does not include—

(i) an attorney licensed to practice law in the State in which the property is located who has established an attorney-client relationship with the homeowner;

(ii) a person licensed as a real estate broker or salesperson in the State where the property is located, and such person engages in acts permitted under the licensure laws of such State;

(iii) a housing counseling agency approved by the Secretary;

(iv) a depository institution (as defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813));

(v) a Federal credit union or a State credit union (as defined in section 101 of the Federal Credit Union Act (12 U.S.C. 1752)); or

(vi) an insurance company organized under the laws of any State.

(3) **HOMESOWNER.**—The term “homeowner”, with respect to residential real property for which an action to foreclose on the mortgage or deed of trust on such real property is filed, means the person holding record title to such property as of the date on which such action is filed.

(4) **LOAN SERVICER.**—The term “loan servicer” has the same meaning as the term “servicer” in section 6(i)(2) of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2605(i)(2)).

(5) **RESIDENTIAL MORTGAGE LOAN.**—The term “residential mortgage loan” means any loan primarily for personal, family, or household use that is secured by a mortgage, deed of trust, or other equivalent consensual security interest on a dwelling (as defined in section 103(v) of the Truth in Lending Act (15 U.S.C. 1602(v)) or residential real estate upon which is constructed or intended to be constructed a dwelling (as so defined).

(6) **RESIDENTIAL REAL PROPERTY.**—The term “residential real property” has the meaning given the term “dwelling” in section 103 of the Consumer Credit Protection Act (15 U.S.C. 1602).

(7) **SECRETARY.**—The term “Secretary” means the Secretary of Housing and Urban Development.

SEC. 2703. MORTGAGE RESCUE FRAUD PROTECTION.

(a) **LIMITS ON FORECLOSURE CONSULTANTS.**—A foreclosure consultant may not—

(1) claim, demand, charge, collect, or receive any compensation from a homeowner for services performed by such foreclosure consultant with respect to residential real property until such foreclosure consultant has fully performed each service that such foreclosure consultant contracted to perform or represented would be performed with respect to such residential real property;

(2) hold any power of attorney from any homeowner, except to inspect documents, as provided by applicable law;

(3) receive any consideration from a third party in connection with services rendered to a homeowner by such third party with respect to the foreclosure of residential real property, unless such consideration is fully disclosed, in a clear and conspicuous manner, to such homeowner in writing before such services are rendered;

(4) accept any wage assignment, any lien of any type on real or personal property, or other security to secure the payment of compensation with respect to services provided by such foreclosure consultant in connection with the foreclosure of residential real property; or

(5) acquire any interest, directly or indirectly, in the residence of a homeowner with whom the foreclosure consultant has contracted.

(b) **CONTRACT REQUIREMENTS.**—

(1) **WRITTEN CONTRACT REQUIRED.**—Notwithstanding any other provision of law, a foreclosure consultant may not provide to a homeowner a service related to the foreclosure of residential real property—

(A) unless—

(i) a written contract for the purchase of such service has been signed and dated by the homeowner; and

(ii) such contract complies with the requirements described in paragraph (2); and

(B) before the end of the 3-business-day period beginning on the date on which the contract is signed.

(2) **TERMS AND CONDITIONS OF CONTRACT.**—The requirements described in this paragraph, with respect to a contract, are as follows:

(A) The contract includes, in writing—

(i) a full and detailed description of the exact nature of the contract and the total amount and terms of compensation;

(ii) the name, physical address, phone number, email address, and facsimile number, if any, of the foreclosure consultant to whom a notice of cancellation can be mailed or sent under subsection (d); and

(iii) a conspicuous statement in at least 12 point bold face type in immediate proximity to the space reserved for the homeowner's signature on the contract that reads as follows: “You may cancel this contract without penalty or obligation at any time before midnight of the 3rd business day after the date on which you sign the contract. See the attached notice of cancellation form for an explanation of this right.”

(B) The contract is written in the principal language used to solicit or market the services to the homeowner.

(C) The contract is accompanied by the form required by subsection (c)(2).

(c) **RIGHT TO CANCEL CONTRACT.**—

(1) **IN GENERAL.**—With respect to a contract between a homeowner and a foreclosure consultant regarding the foreclosure on the residential real property of such homeowner, such homeowner may cancel such contract without penalty or obligation by mailing a notice of cancellation not later than midnight of the 3rd business day after the date on which such contract is executed or would become enforceable against the parties to such contract.

(2) **CANCELLATION FORM AND OTHER INFORMATION.**—Each contract described in paragraph (1) shall be accompanied by a form, in duplicate, that—

(A) has the heading “Notice of Cancellation” in boldface type; and

(B) contains in boldface type the following statement:

“You may cancel this contract, without any penalty or obligation, at any time before midnight of the 3rd day after the date on which the contract is signed by you.

“To cancel this contract, mail or deliver a signed and dated copy of this cancellation notice or any other equivalent written notice to [insert name of foreclosure consultant] at [insert address of foreclosure consultant] before midnight on [insert date].

“I hereby cancel this transaction on [insert date] [insert homeowner signature].”

(d) **WAIVER OF RIGHTS AND PROTECTIONS PROHIBITED.**—

(1) **IN GENERAL.**—A waiver by a homeowner of any protection provided by this section or any right of a homeowner under this section—

(A) shall be treated as void; and

(B) may not be enforced by any Federal or State court or by any person.

(2) **ATTEMPT TO OBTAIN A WAIVER.**—Any attempt by any person to obtain a waiver from any homeowner of any protection provided by this section or any right of the homeowner under this section shall be treated as a violation of this section.

(3) **CONTRACTS NOT IN COMPLIANCE.**—Any contract that does not comply with the applicable provisions of this title shall be void and may not be enforceable by any party.

SEC. 2704. WARNINGS TO HOMEOWNERS OF FORECLOSURE RESCUE SCAMS.

(a) **IN GENERAL.**—If a loan servicer finds that a homeowner has failed to make 2 consecutive payments on a residential mortgage loan and such loan is at risk of being foreclosed upon, the loan servicer shall notify such homeowner of the dangers of fraudulent activities associated with foreclosure.

(b) **NOTICE REQUIREMENTS.**—Each notice provided under subsection (a) shall—

(1) be in writing;

(2) be included with a mailing of account information;

(3) have the heading “Notice Required by Federal Law” in a 14-point boldface type in English and Spanish at the top of such notice; and

(4) contain the following statement in English and Spanish: “Mortgage foreclosure is a complex process. Some people may approach you about saving your home. You should be careful about any such promises. There are government and nonprofit agencies you may contact for helpful information about the foreclosure process. Contact your lender immediately at [____], call the Department of Housing and Urban Development Housing Counseling Line at (800) 569-4287 to find a housing counseling agency certified by the Department to assist you in avoiding foreclosure, or visit the Department's Tips for Avoiding Foreclosure website at <http://www.hud.gov/foreclosure> for additional assistance.” (the blank space to be filled in by the loan servicer and successor telephone numbers and Uniform Resource Locators (URLs) for the Department of Housing and Urban Development Housing Counseling Line and Tips for Avoiding Foreclosure website, respectively).

SEC. 2705. CIVIL LIABILITY.

(a) **IN GENERAL.**—Any foreclosure consultant who fails to comply with any provision of section 2703 or 2704 with respect to any other person shall be liable to such person in an amount equal to the greater of—

(1) the amount of any actual damage sustained by such person as a result of such failure; or

(2) any amount paid by the person to the foreclosure consultant.

(b) **CLASS ACTIONS PROHIBITED.**—No Federal court may certify a civil action under subsection (a) as a class action under rule 23 of the Federal Rules of Civil Procedure.

SEC. 2706. ADMINISTRATIVE ENFORCEMENT.

(a) **ENFORCEMENT BY FEDERAL TRADE COMMISSION.**—

(1) **UNFAIR OR DECEPTIVE ACT OR PRACTICE.**—A violation of a prohibition described in section 2703 or a failure to comply with any provision of section 2703 or 2704 shall be treated as a violation of a rule defining an unfair or deceptive act or practice described under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) **ACTIONS BY THE FEDERAL TRADE COMMISSION.**—The Federal Trade Commission shall enforce the provisions of sections 2703 and 2704 in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made part of this title.

(b) **STATE ACTION FOR VIOLATIONS.**—

(1) **AUTHORITY OF STATES.**—In addition to such other remedies as are provided under State law, whenever the chief law enforcement officer of a State, or an official or agency designated by a State, has reason to believe that any person has violated or is violating the provisions of section 2703 or 2704, the State—

(A) may bring an action to enjoin such violation;

(B) may bring an action on behalf of its residents to recover damages for which the person is liable to such residents under section 2705 as a result of the violation; and

(C) in the case of any successful action under subparagraph (A) or (B), shall be awarded the costs of the action.

(2) **RIGHTS OF FEDERAL TRADE COMMISSION.**—

(A) **NOTICE TO COMMISSION.**—The State shall serve prior written notice of any civil action

under paragraph (1) upon the Commission and provide the Commission with a copy of its complaint, except in any case in which such prior notice is not feasible, in which case the State shall serve such notice immediately upon instituting such action.

(B) INTERVENTION.—The Commission shall have the right—

(i) to intervene in any action referred to in subparagraph (A);

(ii) upon so intervening, to be heard on all matters arising in the action; and

(iii) to file petitions for appeal in such actions.

(3) INVESTIGATORY POWERS.—For purposes of bringing any action under this subsection, nothing in this subsection shall prevent the chief law enforcement officer, or an official or agency designated by a State, from exercising the powers conferred on the chief law enforcement officer or such official by the laws of such State to conduct investigations or to administer oaths or affirmations, or to compel the attendance of witnesses or the production of documentary and other evidence.

(4) LIMITATION.—Whenever the Federal Trade Commission has instituted a civil action for a violation of section 2703 or 2704, no State may, during the pendency of such action, bring an action under this section against any defendant named in the complaint of the Commission for any violation of section 2703 or 2704 that is alleged in that complaint.

SEC. 2707. LIMITATION.

No violation of a prohibition described in section 2703 or a failure to comply with any provision of section 2703 or 2704 shall provide grounds for the halt, delay, or modification of a foreclosure process or proceeding.

SEC. 2708. PREEMPTION.

Nothing in this title affects any provision of State or local law respecting any foreclosure consultant, residential mortgage loan, or residential real property that provides equal or greater protection to homeowners than what is provided under this title.

Amend the table of contents accordingly.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

This is to advise you that a field hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Wednesday, July 2, 2008, at 10 a.m., International Programs Building, Sandia Science & Technology Park, 10600 Research Road SE., Albuquerque, NM 87123.

The purpose of the hearing is to consider the value and examine the progress of electricity generation from concentrating solar power.

For further information, please contact Leon Lowery at (202) 224-2209 or Gina Weinstock at (202) 224-5684.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Com-

mittee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Friday, June 20, 2008, at 10 a.m.

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

MANAGING AND PRESERVING CONGRESSIONAL PAPERS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 705, H. Con. Res. 307.

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

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 307) expressing the sense of Congress that Members' Congressional papers should be properly maintained and encouraging Members to take all necessary measures to manage and preserve these papers.

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

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

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

The concurrent resolution (H. Con. Res. 307) was agreed to.

The preamble was agreed to.

AUTHORIZING THE USE OF THE CAPITOL GROUNDS

Mr. REID. Mr. President, I ask unanimous consent that the Rules Committee be discharged from further consideration of H. Con. Res. 335 and the Senate proceed to its consideration.

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

The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 335) authorizing the use of the Capitol Grounds for a celebration of the 100th anniversary of Alpha Kappa Alpha Sorority, Incorporated.

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

Mr. REID. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to this measure be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 335) was agreed to.

ORDER FOR MEASURE TO BE PLACED ON THE CALENDAR—H.R. 6304

Mr. REID. Mr. President, I ask unanimous consent that when H.R. 6304 is received from the House, it be placed on the calendar.

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

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 110-181, and in consultation with the chairmen of the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Foreign Relations, appoints the following individuals to be members of the Commission on Wartime Contracting in Iraq and Afghanistan: Linda J. Gustitus of the District of Columbia and Charles Tiefer of Maryland.

ORDERS FOR MONDAY, JUNE 23, 2008

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 3 p.m. this coming Monday, June 23; that following the prayer and the 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 resume consideration of the House message with respect to H.R. 3221, the housing legislation. I ask further that the filing deadline for the amendments to the Dodd-Shelby substitute amendment be 10:30 a.m. on Tuesday, June 24, and that substitute amendment is No. 4983.

I further ask unanimous consent that the RECORD remain open until 2 p.m. today for statements, cosponsors, and bill introductions.

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

ADJOURNMENT UNTIL MONDAY, JUNE 23, 2008, AT 3 P.M.

Mr. REID. Mr. President, seeing no one else on the floor, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 12:49 p.m., adjourned until Monday, June 23, 2008, at 3 p.m.