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House of Representatives

The House was not in session today. Its next meeting will be held on Monday, May 5, 2008, at 12:30 p.m.

Senate

FRIDAY, MAY 2, 2008

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

PRAYER

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

Let us pray.

Lord God, we know not what a day may bring, for we borrow our heartbeats. Remind us that each day is Your gift to us and an opportunity to serve. Keep us from treating any day and its duties with indifference. Make us aware that no period of life is time wasted when we do Your will.

Encourage the Members of this body. Remind them that "those who are faithful in little are also faithful in much." Keep them from becoming distracted by the dream of doing great things when they ought to be busy with the task before them.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable SHELTON 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, May 2, 2008.

To the Senate:

Under the provisions of rule I, paragraph 3 of the Standing Rules of the Senate, I hereby appoint the Honorable SHELTON 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.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

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

In my capacity as a Senator from Rhode Island, I note the absence of a quorum.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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

REPUBLICAN OBSTRUCTIONISM

Mr. REID. Mr. President, on occasion the Senate must turn to legislation we know will cause controversy: abortion, Social Security, always the war in Iraq, to name a few things that always cause controversy. Sometimes we find common ground on these; other times, after thoughtful, earnest debate, the two sides cannot converge in the middle.

That is okay. But that is how this body was designed to work by the Founding Fathers. So I offer the words that will follow with an understanding that as majority party we cannot expect the Republicans to agree with us on everything. And when the legitimate pursuit of compromise eventually leads to a dead end, we accept that outcome and move on to the next challenge.

But again and again this session our Republican colleagues have refused to work with us at all. They have rejected the difficult but critical job of legislating in favor of the easier but hollow path of obstruction and political gamesmanship.

Sixty-eight times and counting since the beginning of this session the Republicans have filibustered legislation. That means that 68 times the Republicans have stopped us from even debating, even negotiating, even working on legislation for the American people. Think about that, 68 times. That is about once a week if you consider the days and the weeks we are out of session.

Filibustering is far different from voting against a bill. I have no gripe, we have no gripe, with any Senator

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



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who objects to legislation and votes against it. But time after time, Republicans have blocked us from even voting on a bill but, even more than that, from even getting to the point where you can negotiate on a bill, even allowing us to legislate on a bill.

Republicans are acting like the kid on the playground who does not like his teammates but owns the ball, and he takes it home to his mother. What is even worse are the bills our Republican friends choose to block. Many of these bills are not major controversial issues. They are not even political hot potatoes. They are fairly straightforward, noncontroversial ideas that can make our country safer, healthier, and more prosperous.

We are now seeing yet another example of this. Earlier this week the Commerce and Finance Committees reported the Aviation Investment and Modernization Act to the floor of this body. Any American who has taken an airplane over the past few years understands we have a problem with our aviation system, and if they knew everything that was going on, they would be even more concerned.

Almost 800 million American passengers took to the skies last year, 800 million, twice the number of 20 years ago. But as the number of passengers was steadily rising over those years, investment in technology and infrastructure did not nearly keep pace. Anyone can see that as a potential for disaster. Thankfully, the aviation industry has seen relatively few disasters, but all of us can see the problem. All of us can see the result of the problems in longer lines, more frequent delays and, I might add, the financial brink these airline companies are on, as to whether they can even stay in business. That is all American airlines. The number of passengers will continue to increase. In 10 years the number will probably reach a billion each year. Las Vegas-McCarren International Airport, the fifth largest in America in the number of passengers coming in and out of that facility, now hosts 4 million every month.

Traffic through the Las Vegas airport has increased so much that it will reach a maximum capacity in the next few years. This growth in air travel, not only in Nevada but throughout America, presents both an opportunity and a major challenge.

If we legislate with foresight and make the necessary investments, it represents an enormous opportunity for the airlines, tourism, and our economy. But if we fail to take the necessary steps today, travelers can be put at greater risk, our economy can suffer, and air travel would grind to a halt.

Chairman ROCKEFELLER, Chairman BAUCUS, Senators INOUE, STEVENS, GRASSLEY, and HUTCHISON worked in earnest and sent an FAA modernization bill to the floor. They were a model of how the legislative process should work, Democrats and Repub-

licans working through their differences to come up with solutions.

The chairman of the Commerce Committee is Senator DAN INOUE. There is not a nicer person in the world, not a better legislator in the world. I have been working on an issue with the Speaker for several weeks, the supplemental appropriations bill. One of the issues in that bill was what we are going to do for funding the war in Iraq. She said: You have Senator INOUE working with our people who have jurisdiction over that aspect of the bill. They will work with him. Everybody loves Senator INOUE over here. To think that this bill has been stopped when you have someone such as Senator INOUE as chairman of the committee is hard to comprehend.

All these Senators I have mentioned are a model of how the legislative process should work, Democrats and Republicans working through their differences to come up with solutions. That is how they came up with this bill we are dealing with on the floor now. When the bill reached the floor, though, our Republican colleagues apparently decided this was an opportunity to filibuster again. That is what they have done. This week we have had basically no votes. We had one vote. It was a vote to go to the bill—one vote.

Amendments are considered, debate follows, votes are taken. That is what you do ordinarily. Not here, not with the Republicans in the minority. They have been in a snit ever since we took the majority.

I have made it clear to the minority leader here on the floor many times, Democrats would welcome amendments from both sides of the aisle. What we initially said was: Give us a list of amendments you want to offer. No. Then they said: Well, Senator BUNNING wants to offer an amendment. Fine, let us see it, offer the amendment. We finally learned what it was about yesterday. It was about taking coal and processing that so the fuel from that could be used in jet airplanes. I don't know if it would work, but let's debate the issue here. No. I said: You are complaining about the fact that we want to have some idea of what the amendments are going to be. Why don't we have it so that not myself alone but Senator MCCONNELL and I would look at the amendments. We would together. If he didn't want an amendment to come up, we would work together. No, won't do that. I said yesterday: OK, we will take out all the blockage. We will take down the so-called tree. You can offer any amendment you want. They don't want to offer any amendments. I spoke to the Republican leader. I said: We learned you are displeased with the bill because there is a provision in it that gives New York the final payment for the money promised to the State of New York after 9/11. It is in the President's budget. I explained that to my friends over here. It is in the President's bud-

et. They said: We are still against it. So here it is, Friday. We have accomplished nothing.

I don't know how we could make it any clearer that we want to debate and pass this bill fairly and openly. We have reached out to the Republican side every step of the legislative process. Our overtures have gone ignored. On a bill as critical and noncontroversial as making air travel safer and more efficient, Republicans have obstinately refused to negotiate. I don't want to frighten the public, but we have all been told, you can go here to the parking lot and one of the new cars in the last 4 or 5 years has a GPS system in it. That is better equipment than they use to handle all the 800 million airplanes flying around America today. Our equipment is antiquated, inefficient, and unsafe. That is why last week I had come to my office, when we knew we were going to bring the bill up, all the unions representing people who work for airlines—the mechanics, flight attendants, air traffic controllers, on and on. They are concerned. Then an hour or two later, I meet in another building on the same floor with the operators of commercial airlines in America. They are frightened to death. They are going broke. Major airlines—we only have five or six left in America—are on the verge of going broke. Right now their fuel costs equal almost half of their costs. You pay 70 cents for a gallon of flight fuel in Europe. You pay more than a dollar here in America. You can't compete on that basis.

This is a bill that should whip through this body, no problem whatsoever. But the Republicans won't even allow us to reach a point to deal with one of their amendments. If there is something they don't like, tell us what it is. They aren't just blocking the bill, they are blocking even a discussion that could lead to compromise on a bill where they won't tell us what their concern is. It is the amendment relating to New York getting money. It is in the President's budget. I don't know how you negotiate that.

The most serious failure doesn't lie with my Republican colleagues in the Senate. There is plenty there. But it lies with the leader of the Republican Party, the President of the United States, George Bush. Here is what a responsible President would do. First, he would acknowledge the critical importance of legislation to modernize the Federal Aviation Administration; next, possess the political skill and fairness to see that members of his own party are having difficulty reaching compromise on the bill with the majority party. I am being nice by saying reaching a compromise. He should call these people over here and say: Get this bill done. But he is now giving a speech in St. Louis about how great the economy is going. That is where he is today.

One would think the President of the United States would set an example of leadership by bringing the sides to the

table to forge a compromise, reach a solution. Using the office of the Presidency to break down barriers and bring sides together is powerful and important. It is one of his most important responsibilities. Unfortunately, tragically, it is a responsibility that President Bush has ignored. He has left his party rudderless. Is it any wonder a poll came out yesterday that shows President Bush as low as President Nixon was in favorability at the height of the Watergate crisis. It is in the 20s. Is there any reason not to believe that is not totally valid? With critical legislation at hand and only one side wanting to pass the law, we are left in a situation where the airline companies, the people who work for the airlines, and the consuming public—this bill has a consumer bill of rights in it so people have some idea what to expect when they are on a runway for hours at a time; what rights do they have when flights are canceled; what information are they entitled to. That is in this bill. No chance. Republicans are holding it up because of a provision in the President's budget.

It is difficult to comprehend why the Republicans in the Senate would go along with this President. I can't understand why they would do that. The American people obviously can see this. They are going to react in November. The challenges we face in our country are too important to do business the way it is being done. I renew my call to my Republican counterpart Senator McCONNELL to do the right thing, to ignore the President. Let's move on. The status quo in this and many other areas is not a good place to be.

I say to President Bush: If you believe, as we do, that the future of aviation may well lie in the decisions we make now, get off the sidelines and get involved. Urge your Republican colleagues in the Senate to work with us. We stand ready to do the job. The American people deserve no less.

We will have a vote on cloture on the bill on Tuesday. My Republican colleague, my friend Senator McCONNELL, has said: You are wasting your time. We are all going to vote to block this bill.

I hope the next few days will give them the opportunity to come to reality and understand we need to do something with this bill. If they don't like the new provision, the provision regarding New York, and they want to vote against that provision, even though it is in the President's budget, offer an amendment to get rid of it.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

Mr. REID. 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.

ORDER OF BUSINESS

Mr. REID. Mr. President, it is obvious that there is not going to be any legislating done on this bill—until at least the vote on Tuesday. I had hoped we would be doing things today and Monday. Monday is a long-established no-vote day. But it is not fair to Members to have to worry about being back here when there is nothing being done on the bill—they have other things they can do—based on the Republicans' refusal to let us legislate on this most important piece of legislation.

So we are not even going to be in session on Monday. I announce to all the Senators and their staffs. We will be out of session Monday and come back on Tuesday, and, hopefully, the Republicans will see the light of day. Maybe they will get a call from the White House saying the air traffic situation in this country is important. He should notice what is going on in the Senate and make a call to the Republican leadership in the Senate and let us move this bill.

But we will start legislating on Tuesday, hopefully.

Mr. President, I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

Ms. CANTWELL. 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.

POLICING THE OIL MARKETS

Ms. CANTWELL. Mr. President, I rise this morning to make sure the American people know that Democrats want to make sure that oil markets are policed. Democrats want to make sure the oil markets are not being manipulated, and Democrats are going to make sure the oil markets, in fact, are going to be policed by the Federal Government.

Over the last several years, several energy companies, including Amaranth, Marathon Oil, and British Petroleum have been under investigation for the manipulation of petroleum and natural gas markets. As a result of that investigation, British Petroleum now must pay approximately \$373 million for conspiring to corner the market and manipulate the price of propane carried through the Texas pipeline.

In another example, in 2006, a manipulative scheme to game the natural gas market by the now defunct hedge fund Amaranth, cost consumers upwards of \$9 billion. In July of last year, Marathon Oil agreed to pay \$1 million in fines to the CFTC to settle charges that Marathon's petroleum subsidy had attempted to manipulate crude oil prices.

So we have examples of natural gas and oil markets being manipulated,

and Democrats want to make sure that oil markets are going to be policed. We want to make sure there is not manipulation of supply. We want to make sure there is not false reporting of information. We want to make sure there is not cornering of the market. We want to make sure there is not rogue trading.

That is why I am pleased the FTC has taken at least a first step in issuing a rule that I think will help establish the framework by which these markets can be more thoroughly investigated.

The FTC is recognizing in its rule—the rule that it issued last night—that they need to base this on a law that is about manipulative practices or using manipulative devices. There is a large body of case law starting with the Securities and Exchange Commission now being used by the Federal Energy Regulatory Commission, that has become, as the Supreme Court said, “a judicial oak which has grown from little more than a legislative acorn.”

What they are talking about is just the simple concept put into Federal statute that you should not have manipulative devices or contrivances as it relates to the stock market, as it relates to commodities, as it relates to now the natural gas and electricity markets, and now, after the FTC's action last night, as it relates to the oil markets.

But Democrats are going to make sure the FTC does its job. I am calling on our leadership to have oversight hearings of this FTC rulemaking process. The American public needs to be in on this process of deciding exactly how this rule is going to be developed. We are going to protect consumers in making sure there is a strong statute on the books. We want to make sure that in this final rule the impact of any kind of manipulative, planned reductions by refineries as a scheme just to reduce supply is covered under this law; that any kind of false or misleading reporting is covered under this law; and that the FTC recognizes the great work that was done by the Federal Energy Regulatory Commission in their adoption of this rule.

In fact, the rule that is being put out by the FTC actually discusses in detail the cases of Amaranth and Enron, which I think is a good sign because it is in those cases that we learned exactly how the manipulation of these markets takes place.

In fact, what we saw with Amaranth and what they did is they ended up selling shares to try to crash the market to lower the price after they already had contracts for a higher price. So they made money by basically getting people to sign up for contracts at a higher expense and then forcing the market to lower the price so they had a higher profit margin. They ended up having a huge position in the natural gas market and, as I said, it cost consumers over \$9 billion.

The interesting thing is, when they got out of the market and there was

the pursuit by the Federal Regulatory Commission of this issue, natural gas prices dropped 38 percent—38 percent because we had a bad actor out of the marketplace.

So it is critical that we have this aggressive action and probe of the oil markets. It is critical that we give the Federal regulators—the FTC and the FERC, if they need to be involved, the CFTC, as well as the DOJ whom I have called on to be involved—the tools they need. But Democrats are going to make sure we police the oil markets.

If you think about that and you think about the fact that oil prices are 100 times over what they were a year ago, and if you had some sort of activity that was driving up that price—I am saying it is not supply and demand, it is not basic supply and demand. We haven't had a supply disruption. We haven't had that big of a change in the demand. So something is going on in the marketplace.

If we would do our job of investigating, we would make sure there is a bright line there for the consumer, for the American people who are paying too much at the pump right now, to say that these kinds of manipulative behaviors will not be tolerated.

The challenge we have is, when we don't have some of these markets having the transparency and the oversight, or people who are supposed to be the policemen on the beat, as well as the FTC not doing its job, then these markets have a lot of activities that can actually drive up the price. When we think about the Amaranth case, just imagine what would happen if you could actually lower the price because you get bad actors out of the market.

That is what we are simply saying. Let's do our job here and have the oversight hearings of this FTC rule and investigation of the oil markets. Let's do our job in making sure the consumer is represented in the development of this rule and a tough Federal statute so that consumers can have a little relief at the pump.

I noticed last night this was the first time gas prices didn't rise overnight. I also took note in the paper this morning of the CFTC Chairman's comment which was an indication of the fact that oil prices might have moved because, instead of investing in commodities, people have taken money out of those commodities and put them in other places in the stock market. People should be aware that Congress and the FTC are looking into any kind of manipulative practices when it comes to the oil market. Even if the rule isn't in final adoption today, the fact that we are going to be aggressive at protecting consumers and looking into this kind of manipulative practice, I believe, can help give consumers relief at the pump.

So let's get about doing our job. Let's get about protecting consumers in what is not a rational gas market today, and get about helping our economy by doing our job here and having

the oversight hearings that it is going to take to make sure this rule gets developed with a strong framework that can be used to root out manipulation in the oil markets.

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

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

The assistant legislative clerk proceeded to call the roll.

Mr. CASEY. 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.

WORLD FOOD AID

Mr. CASEY. Mr. President, I know we are ready to wrap up for the week. First, I want to make a couple points about a news item in today's paper.

I was looking at the Washington Post this morning, page A4. There is a story about the President seeking \$770 million more in world food aid. At first glance, that sounds like very good news, and it is, to a certain extent. But, unfortunately, it is good news about the future in terms of a commitment for 2009, but it doesn't do nearly enough to meet the crisis that has enveloped large parts of the world with regard to the food insecurity we are seeing all over the world.

Here is the point. I and others have asked the President to increase, for this year, our food aid from the \$350 million he has proposed earlier by adding another \$200 million to that. In the short run, we wanted to go from \$350 million to \$550 million. This \$770 million is great, but it is in 2009. When you think about when the food would hit the ground, so to speak, the difference is that if the President's policy stays in place for the near term, what you are going to have is food hitting the ground, totaling \$350 million, in the next couple of months, when we could be adding a lot more to that. The demand really requires that we add \$200 million. Even if we add the number the President put on the table, which is \$770 million, that food won't hit the ground, at the earliest, until November 2008, maybe December, or maybe not even until January 2009.

We are at a point now where we have news story after news story about instability across the world—governments that are not just at risk of collapse because of the food insecurity, and we have seen all the reports about rioting—but this becomes not just a humanitarian crisis, not only a government instability problem, but it really becomes fertile ground, unfortunately, for terrorism. So food insecurity is becoming a national and international security problem.

We know from our history—world history especially—that in places such as Afghanistan, where there is instability, terrorism flourished. We know

the stories in the last couple of years, since before 2001, about the rise of the Taliban and the rise of terrorist elements all over the world.

So I hope the President, as much as he has heralded his announcement for 2009 of \$770 million, I hope he will reconsider for the short term so we can add another \$200 million in food aid—not a lot of money in the scheme of the aid the United States generously provides to the rest of the world—add another \$200 million in the near term so food can hit the ground in these countries maybe at the end of this month or in June or July instead of waiting until November, December, or even January of next year. Not just the hunger pangs and the trauma that this causes to real people across the world but the security implication here is very grave.

I hope the President will bring the same urgency to this funding as he does to his call for more war funding, frankly. I think we need a sense of urgency because of the humanitarian, moral question here but also because of the security implications.

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

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

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. CASEY). Without objection, it is so ordered.

EPA IN CRISIS

Mr. WHITEHOUSE. Mr. President, for much of last year, as many of us will remember, the Senate Judiciary Committee was engaged in a very troubling inquiry. We were trying to determine whether the Bush administration had fired several U.S. attorneys for political reasons; not because they were not good U.S. attorneys but because they were not loyal "Bushies," to use the phrase a Department of Justice official used.

That inquiry continues at the Department of Justice, but over its course, we already know the incompetence and misjudgments that it uncovered have cost numerous Department of Justice officials their jobs, and properly so, including former Attorney General Alberto Gonzales who made clear that he put loyalty to the President before the faithful exercise of that important office.

Unfortunately, it also cost that proud Department the morale of its officials and, to a sad degree, the trust of the American people, many of whom have been left to wonder whether Federal prosecutions in this country arise from the pursuit of justice or whether under the Bush administration they arise from the pursuit of political advantage.

Here we go again, perhaps. This morning, we awoke to the news that

the Environmental Protection Agency's regional administrator for the Midwest, Mary Gade, was forced to resign in the midst of a heated debate over dioxin contamination in waters near Michigan.

Dioxin is an extremely dangerous chemical. According to a report by the Chicago Tribune, Ms. Gade invoked emergency powers last year to force Dow Chemical, headquartered in Michigan, to clean up several areas saturated with this toxic chemical, a dangerous carcinogen which was a byproduct, among other things, of Agent Orange, with which we are sadly familiar.

Ms. Gade later broke off negotiations with Dow Chemical on a more comprehensive cleanup, citing concerns that Dow had been reluctant to take steps to protect health and wildlife. That put the company in a tough position.

At that point, the Tribune's report says the company asked EPA officials in Washington to intervene, although Dow said it had nothing to do with Ms. Gade's dismissal. The paper wrote that Ms. Gade said that high-ranking EPA officials "repeatedly questioned her aggressive action against Dow." It quoted Ms. Gade as saying, "There is no question that this is about Dow."

We do not yet know all the details of Ms. Gade's firing or everything that may have gone on between her office and Dow Chemical. But from everything we have heard and seen so far, it looks like *deja vu* all over again from an administration that values compliance with its political agenda more than it values the trust or the best interests of the American people.

Last year, we learned this is an administration that would not hesitate to fire capable Federal prosecutors when they would not toe an improper party line. Today it seems the Bush administration might have once again removed a highly qualified and well-regarded official whose only misstep was to disagree with the political bosses.

Unfortunately, the story of Mary Gade is not only a distressing signal that the Bush administration may again be making hiring and firing decisions based on political loyalty, it is also a piece of evidence in a growing pile of evidence of a troubling and destructive force at work within our Government, one with serious consequences for our environment, for our natural resources, and for the health of Americans, for us, for our families.

We have also known that the Bush administration was no friend to the environment. Over and over again for 7 long years, this administration has put forward under false flags policies that would do great harm to the environment. Remember the Clear Skies Initiative that would increase air pollution? Remember the national energy policy written with DICK CHENEY by oil industry lobbyists? The Bush approach to environmental protection has not only been wrong, it has been Orwellian. That pattern continues even to this day.

Not long ago, President Bush stood in the White House Rose Garden and announced what his administration characterized as a "new strategy" to address climate change. As the distinguished Senator from Pennsylvania well knows, Americans all over this country are crying out for a bold and visionary plan to tackle the looming threat of global warming, a problem that threatens to engulf this Nation and the entire world within generations if nothing is done.

So we looked to the Rose Garden for leadership from our President. And what did we find? We found a proposal that was neither new nor even a strategy. Instead, the President announced what he called a new national goal: voluntary action to reduce greenhouse gas emissions by 2025.

Let me say that again. Voluntary action to reduce emissions by 2025, 17 years from now, 17 years of increases.

There are a couple of problems with this approach. First, the obvious problem is if you are allowing greenhouse gas emissions to continue to rise for 17 years, you are not doing much effectively about them, even though overwhelming scientific evidence indicates that unless we take immediate action to cut global warming pollutants, we might be too late to prevent the most serious impacts of global climate change.

Mr. President, you and I are in our fifties. We may be gone when it gets bad. I have met your girls. I have a girl and a boy of my own. I look at the young pages here who are gathered in the well. This will be their world, and the responsibility is on us to take action now while we can to protect the world in which they will live.

On that score, President Bush failed again. He literally offered zero initiatives, none, that might reduce emissions now or in the future. He made it clear that, on what is left of his watch, the U.S. Government will never require polluters to make such reductions. As every American who is not working in the Bush administration understands, voluntary action without strength of will or force of law simply is not enough to tackle a problem of this magnitude.

Finally, even if the President announced this empty so-called renewed commitment to fighting global warming, his administration indicated it would oppose a specific detailed plan for addressing the climate change problem the Senate will likely take up after our Memorial Day recess, the Warner-Lieberman plan. Chairman BOXER has worked so hard to get out of our Environment and Public Works Committee.

This trifecta of failure from the White House would be laughable if it were not that the problem itself is so serious. It raises, actually, the distasteful possibility, given this administration's long and destructive history of disregard for environmental concerns, that the President's new strat-

egy is not just a complete failure, a complete nothing, it is actually a stalking horse, intended to prevent real progress on climate change, a way to leave this problem, similar to so many others, for the next President to have to solve.

Regrettably, the President's announcement is also a stunning failure of leadership in a world community that is quickly growing unaccustomed to American leadership—not a good habit for the world to adopt.

We have known for a long time that politics of special interests is at the bottom of this and the Bush White House has repeatedly interfered with the decisionmaking process of the Environmental Protection Agency and other agencies, in thrall to the checkbooks of the oil companies, the gas companies, the chemical companies, the timber companies, the coal companies, the auto companies. If you have a corporate checkbook, they are for you.

A couple of weeks ago, we saw new evidence of how deeply this corrosive political influence has seeped within EPA, the primary Federal agency charged with protecting our environment and our people's public health. A report issued April 23 by the Union of Concerned Scientists, entitled "Interference at the EPA," is a truly scathing indictment of the decisionmaking process at EPA from those who know it best, the scientists inside the Agency. The report consisted largely of a survey of EPA scientists. It found that 60 percent of those surveyed had personally experienced at least one instance of political interference during the past 5 years—60 percent of the scientists. The report documents, among many other things, that many EPA scientists have been directed to inappropriately exclude or alter information from EPA science documents, or have had their work edited in a manner that resulted in changes to their scientific findings. The survey also revealed EPA scientists have often objected to or resigned or removed themselves from EPA projects because of pressure—pressure to change their scientific findings.

The conclusion could not be much clearer: EPA is an agency in crisis. Once upon a time, anyone working at EPA could be proud of their agency's reputation. It was the international gold standard in the area of environmental protection. Indeed, for most of its 40-year history, all Americans could place their trust in EPA's independent, science-based leadership to safeguard our natural resources and our public health.

If you go back to the founding of the Agency, in a 1970 press release by its first administrator, William Ruckelshaus, he stated this role unequivocally:

EPA is an independent agency. It has no obligation to promote agriculture or commerce, only the critical obligation to protect and enhance the environment.

Administrator Ruckelshaus was a Republican appointed by President

Nixon. Yet both he and the President who appointed him intended EPA to be immune from political pressure; to be guided by the twin lodestars of law and science in discharging that critical obligation to protect and enhance the environment.

In recent years, and especially during the tenure of Administrator Johnson, we have seen the EPA's leadership, in cahoots with its White House allies, despoil these basic principles of independence and scientific integrity. Here are only a few examples from the long bill of particulars that indicts the leadership of this once-vaunted agency.

The George Bush Environmental Protection Agency falsified data and fabricated results of studies regarding the safety of the air around the site of the collapse of the World Trade Center on September 11.

The George Bush Environmental Protection Agency selectively edited Government reports, including the EPA's 2003 report on the environment, to support uncertainty in climate change science, placing the imprimatur of the Government of the United States on fringe views, soundly rejected by the vast majority—essentially the entire world scientific community.

The George Bush Environmental Protection Agency has routinely tampered with regulatory and scientific processes to achieve results sought by, guess what, industry—at the expense of our public health and the environment. For example, in 2004, EPA allowed North Dakota to alter the way it measured air quality. That is the way they brought the Theodore Roosevelt National Park in compliance with national air quality standards, not by cleaning up the air but by allowing them to change the way they measured air quality. The George Bush Environmental Protection Agency has hidden, suppressed and delayed the release of scientific findings in order to affect the impacts of EPA decisions. If they have two things going on, if you can slow one down and get the other out first, if it is helpful to industry, there they are—as in the case of a 2002 report on the effects of mercury on children's health that EPA delayed for 9 months and released only after it had been leaked to the media.

The George Bush Environmental Protection Agency has disregarded legally mandated scientific and administrative procedures, as in the case of the Agency's failure to abide by the Supreme Court's recent decision on regulating greenhouse gas emissions.

The George Bush Environmental Protection Agency has stacked the EPA's leadership and its advisory committees with industry allies, removing respected scientists who argued for stronger public protections. A prime example of this is the removal, at the request of the industry lobbying group the American Chemistry Council, of toxicologist Deborah Rice from an EPA toxics advisory committee. Dr. Rice had argued for more stringent EPA

standards for regulating certain chemicals used in commercially available plastic products. Not only was Dr. Rice removed from the panel, but her remarks on the panel were retroactively stricken from the record. EPA essentially took the fact that Dr. Rice had ever been on the panel and struck it from the panel's records. They, I guess, administratively “disappeared” her. It is not the kind of thing that happens in the country I know.

The George Bush Environmental Protection Agency has ignored the recommendations of career staff and scientists when they collide with White House political imperatives, as in the case of the Agency's decision on the so-called California waiver—first time ever not to grant the waiver.

The George Bush EPA has reduced enforcement of environmental regulations by opening fewer criminal investigations and filing fewer lawsuits against corporate polluters.

The George Bush EPA has not only failed to protect but sought reprisals against agency employees who pointed out problems, reported legal violations, and attempted to correct factual misrepresentations made by their superiors.

Amazingly, the EPA's Office of General Counsel has invoked the doctrine of sovereign immunity against whistleblowers suing the agency because of actions taken by the agency in reprisal for their whistleblower activity. And, as a lawyer, as somebody who spent a good deal of his life as a government lawyer, it pains me to see how the George Bush EPA has had its lawyering literally mocked, mocked by the U.S. Circuit Courts of Appeal, which, in one case, condemned the EPA's defense of its regulation as possible “only in a Humpty-Dumpty world,” and in another case accused the agency of “deploying the logic of the Queen of Hearts” from “Alice in Wonderland” in the agency's interpretation of the law.

It makes one's skin crawl to see the ways in which EPA's leadership under the Bush administration has put the interest of big business and their lobbyists before the health and welfare of our environment and the American people. This has dire consequences.

First, in a world that presents complex challenges to our public health, to our environment, and to our national security, the elevation of corporate interests over independent, science-based decisionmaking threatens America's very ability to respond effectively and to provide the kind of leadership on complex problems that the world expects and that Americans deserve.

Second, the administration's conduct has demoralized EPA's professional workforce—the scientists, the lawyers, the regulatory experts to whom EPA owes its reputation as a champion of environmental protection. And time and time again during this administration they have seen their expert counsel set aside in favor of a partisan political agenda.

Third, President Bush and this administration have compromised the faith of the American people in the integrity of their Government. We can disagree. This is a Chamber that is built for disagreement. We can disagree on policy considerations; we can argue about what the right or the wrong decision is to make. But it is a tragedy when we doubt the integrity of the process of America's agencies of Government.

The President's eagerness to do the bidding of the special interests and the Administrator's willingness to kowtow to the White House, to the detriment of sound public policy, only confirms what too many consider fear that the United States of America is no longer governed by and for the people.

When policy is made for special interests and not for public good, America is left weaker. No matter our partisan or ideological standings, no one in this great Chamber, I hope, would want to do such a thing to this great country.

The Bush administration has done lasting harm both to our environment and to the confidence of the American people. Next Wednesday, May 7, at 9:30 a.m., I will join Senator BARBARA BOXER, the chairman of the Environment and Public Works Committee, for an oversight hearing to look into the actions by this Bush administration and the EPA Administrator which seem to be so badly at odds with the recommendations of the agency's scientists and the best interests of the American people.

Chairman BOXER—we can be so proud of her—has been dogged, relentless in her pursuit of the truth behind the screen of machinations of the EPA's leadership and the Bush White House. And her leadership will continue to be critical as we try to get to the bottom of this issue. We plan to ask the tough questions, and we will expect honest answers because the American people deserve an Environmental Protection Agency that lives up to that name.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Would the Senator yield for a comment and a couple of questions?

Mr. WHITEHOUSE. I will yield.

Mr. NELSON of Florida. Mr. President, I want to commend the Senator from Rhode Island for his extraordinary, eloquent, and very insightful comment into some of the machinations behind closed doors that we have seen going on in this administration that absolutely perplexes the mind; that governmental agencies that are set up for the purpose of serving the people and protecting the public and, indeed, the EPA is supposed to be the Environmental Protection Agency, that they go off on these half-cocked ideological ideas.

The Senator has said it so eloquently. I thank him for it. I thank him for his leadership. I thank him for calling attention to the hearing that is

going to be held next week. And as the Senator has been speaking—and I have been mesmerized by what he said—completely off the top of my head I remember, for example, 3 years ago the EPA decided that it was going to do a study in my State, in Jacksonville, FL.

Now, get this. You will not believe this. It was going to expose toddlers to pesticides to see what the effects were. And, of course, where do you think those toddlers were going to be? They were going to be in a minority neighborhood. It was going to be in a low-income neighborhood. And the EPA had concocted this scheme. It was sending out these flyers.

In order to get a household to participate, it said: We want you to participate in this study. I cannot remember the amount of money they would pay, but they were going to give them a T-shirt; they were going to give them a certificate that they completed this process over several months; and they were given a camcorder that then, at the end of the study, if they successfully completed it, they would keep. And the study was, they were going to put pesticides all over this house and see what the effects were on these toddlers. This was the purpose of the study.

You could not believe it. I happened to discover it about the same time that the chairman of the environment committee—she was not the chair then. Senator BOXER was the ranking member. And the two of us collaborated. We had a press conference. We blew this thing sky high. As a matter of fact, now that it is coming back to me, Senator BOXER held up the nomination of the newly appointed EPA Administrator until he finally relented and said he was not going to have this study before she would allow the confirmation. Yet he “bumfuddled” around and tried to dodge and weave and not even answer the question. I mean, it defies description.

The Senator from Rhode Island has given a number of examples, and that one leapt to my mind. I want to give the Senator from Rhode Island another example.

In the little agency that I cherish so much, the National Aeronautics and Space Administration, can you believe that one of the most distinguished and noted scientists in that institution of NASA, Dr. Hansen, little underlings in the PR department of NASA—and when I say little underlings, I don't remember what their job description was, but I think they were in their twenties. They had the audacity to go in and change the wording on Dr. Hansen's conclusions with regard to a climate change study.

Finally, this came out. Ultimately, his words were restored.

I will give you another example in that little agency. They have an inspector general in NASA who is just running amok. There was a theft of a \$2 billion rocket design in the NASA computers, and he refused to inves-

tigate. Then when the rest of us tried to get him dismissed, the buddy-buddy club wouldn't allow him to be fired.

I will give you another example. This will just blow your mind. For years, the Florida Everglades have been on the endangered list in a list that is kept by the United Nations, a list of the most environmentally endangered sites in the world. A third-ranking Department of State employee took it upon himself, in a conference in New Zealand, to speak and to have the Florida Everglades stricken from the list of the most endangered environmental sites, something we work on every day in Everglades restoration, in combination, the Federal Government with the State of Florida, in trying to restore the Everglades to something of what Mother Nature intended.

These are things that have popped into my mind of what we have seen over and over again, of the ideological rigidity, the excessive partisanship, which, when you combine the two, is lethal to common sense and to protection of the public. Yet that is what we have seen. Then when some of us, in our role of oversight, try to start changing it and get accountability and responsibility in the executive branch, they won't do anything about it. The NASA IG is still there. That third-tier Department of State employee was there until he finally retired. The EPA Administrator is still there. So here we are.

I thank the Senator for yielding. I thank him again for his eloquence today and for his service to our country in representing his State.

Mr. WHITEHOUSE. I thank my good friend from Florida.

I will close with the following point, which my friend Senator NELSON, the distinguished Senator from Florida, calls to mind, because of his extraordinarily distinguished service to our country. He was willing to put himself at great risk in the extraordinarily challenging pursuit of becoming an astronaut for the United States of America. I mean, talk about the best and brightest. As we know from many tragedies, it is not only an extraordinarily challenging pursuit, it is one where you do put your life very much at risk on behalf of the progress of this country. He, in that very important way, and I, in a much slower way, share an important belief, which is that the Government of the United States of America, our American system of government which has been passed down to us after a revolutionary war, a civil war, two great world wars, the Great Depression, essentially intact and, indeed, improving through the decades and generations, is one of God's great gifts to humankind. It is now in our hands, particularly as we represent our States in this body. It is to be treasured. It is to be viewed with respect. It is, indeed, to be viewed with reverence.

The thing that, to me, is worst of all from his politics, from his corruption, from his debasement of public service,

is the lack of respect, the lack of reverence for what we have been given, for what we hold in trust for ourselves and future generations. It has never been as low as it is now. But the light still burns, and we will continue to call attention to the miscreancy that we find. Soon, in January, it will be over.

I thank my friend from Florida and yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

FOREIGN CONTRACT PERSONNEL

Mr. NELSON of Florida. Mr. President, I came to the floor to discuss another matter. I thank the Senator from Rhode Island. As a matter of fact, before the Senator from Rhode Island departs the Chamber, he might want to hear what I came to talk about. It is actually a little success story, but it is borne on another failure we have seen. This, I am sad to say, is a failure for American women who are contractor personnel serving in Iraq and Afghanistan, when sexually assaulted, when raped. They have not been able to have their assailants prosecuted, as contractor personnel.

We dramatically brought this to light in a hearing about 3 weeks ago. Two very courageous Americans stepped forward, one for the first time publicly. In her particular case, she had been drugged and then gang-raped by not only fellow American contractor personnel, KBR, a subsidiary of Halliburton, but in that case also participated in by members of the military. When she tried to seek help, it was all swept under the rug, and in her particular case, she did not even get any medical attention until 3 weeks later.

Well, the little success story we have, Mr. President, is that in the passage of the Defense Authorization Act, which occurred on Wednesday in the Armed Services Committee, there is inserted a new requirement under law. That requirement is that contractors to the Department of Defense—and, mind you, we have tens of thousands of those contractors in Iraq and Afghanistan—No. 1, will be required to report the offenses of sexual assault to the appropriate investigative authorities; No. 2, they will have the responsibility of providing victim and witness protection and assistance to contractor employees.

If we can maintain that position in the Defense authorization bill as it works its way here to the floor of the Senate and then to work out the final product with the House—and I think we will be able to protect this because who is going to vote against it—that is one little happy victory that will give some additional protection to American women who are serving in harm's way, who are not members of the military but, in fact, are Americans serving overseas as contractors to the military.

Over and over, the testimony was they are assaulted, they cannot find

someone who will investigate; if they have any evidence—in other words, they have been able to get to a doctor and have the evidence from a rape kit—indeed, that evidence is lost, the counseling is not there, and they are left on their own.

The United States military actually has done a pretty good job of this for military personnel, not so with contractor personnel. There are laws on the books that protect contractor personnel. But out of the 26 known cases we know of, of raping American women—contractor personnel—not one of them has been prosecuted.

So the amending of the Defense Authorization Act with this new requirement will require—you would think common sense would tell you the contractors would do this. But, no. In 26 alleged cases, there has not been one prosecution, and certainly no conviction. So it is my hope this will mandate to the contractors they have to report the offenses and they have to provide the victims and witnesses protection and assistance.

In this one case, which was so dramatic, Mrs. Dawn Leamon had come forth for the first time when she testified to our subcommittee. The intimidation of her not doing anything about this gang rape was so severe that when she finally left the forward operating base to go to another forward operating base, where she could first seek assistance, she was given a thumb drive of photographs. Normally, these would just be photographs of the fellow contractors and so forth.

But let me tell you what one of those photographs was. And one day I am going to bring that photograph over here in its blown-up form, which we showed in the committee, so that the Senate can see how dramatic this is. There are three of her male contractor personnel. As they are all three facing the camera, one of them is like this, another one is like this, and the third one is like this: Hear no evil, see no evil, speak no evil—a message that there is no sense in her trying to do anything, that they do not know anything.

This is the kind of lack of protection that is allowed to have been going on that has to stop. I thank Senator LEVIN, the chairman of the Armed Services Committee, and Senator WARNER, who is the acting ranking member of the Armed Services Committee, for letting this Senator bring that to the attention of our committee when we marked up and amended the Defense authorization bill.

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

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

The legislative clerk proceeded to call the roll.

Mr. REID. 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.

Mr. REID. Mr. President, I would ordinarily ask consent to proceed to a

bill prior to filing a cloture motion on the motion to proceed. But I will not do so today because there is no one on the other side to object.

FLOOD INSURANCE REFORM AND MODERNIZATION ACT OF 2007—MOTION TO PROCEED

Mr. REID. Mr. President, I now move to proceed to Calendar No. 460, S. 2284, the National Flood Insurance Act Amendments.

Before sending a cloture motion to the desk, I told the minority leader yesterday I was filing this and that this would be the thing we would go to as soon as we finish FAA. I hope that it is not necessary to have a vote for cloture. I hope they will allow us to move to FAA on Tuesday. If they do, we will proceed quickly to move to this flood insurance act.

CLOTURE MOTION

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

The ACTING PRESIDENT pro tempore. The clerk will report 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 proceed to Calendar No. 460, S. 2284, the National Flood Insurance Act Amendments.

Harry Reid, Barbara Boxer, Patty Murray, Byron L. Dorgan, Edward M. Kennedy, Christopher J. Dodd, Daniel K. Akaka, Benjamin L. Cardin, Patrick J. Leahy, Bernard Sanders, Sherrod Brown, Amy Klobuchar, Ken Salazar, Sheldon Whitehouse, Max Baucus, Daniel K. Inouye.

Mr. REID. Mr. President, I ask unanimous consent, notwithstanding an adjournment of the Senate, that Monday, May 5, count as the intervening day under rule XXII; further, that this cloture vote not occur prior to the previously ordered cloture vote on the Rockefeller substitute amendment No. 4627; provided further, that the mandatory quorum be waived, and I now withdraw the motion.

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

MESSAGE FROM THE HOUSE

At 12:16 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 308. Concurrent resolution authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

S. 2972. A bill to reauthorize and modernize the Federal Aviation Administration.

S. 2973. A bill to promote the energy security of the United States, 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. REID (for himself and Mrs. FEINSTEIN):

S. 2970. A bill to enhance the ability of drinking water utilities in the United States to develop and implement climate change adaptation programs and policies, and for other purposes; to the Committee on Environment and Public Works.

By Mr. REID (for Mrs. CLINTON (for herself and Mr. MENENDEZ)):

S. 2971. A bill to amend the Internal Revenue Code of 1986 to provide for a suspension of the highway fuel tax, and for other purposes; to the Committee on Finance.

By Mrs. HUTCHISON:

S. 2972. A bill to reauthorize and modernize the Federal Aviation Administration; read the first time.

By Mr. DOMENICI (for himself, Mr. BUNNING, Mr. SESSIONS, Mrs. HUTCHISON, Mr. BOND, Mr. INHOPE, Ms. MURKOWSKI, Mr. BARRASSO, Mr. BENNETT, Mr. WICKER, Mr. CHAMBLISS, Mr. STEVENS, Mr. CORNYN, Mr. ENZI, Mr. ISAKSON, Mr. THUNE, Mr. VOINOVICH, and Mr. ALLARD):

S. 2973. A bill to promote the energy security of the United States, and for other purposes; read the first time.

By Mr. ALLARD (for himself and Mr. SALAZAR):

S. 2974. A bill to provide for the construction of the Arkansas Valley Conduit in the State of Colorado; to the Committee on Energy and Natural Resources.

By Mr. REID (for Ms. LANDRIEU (for herself, Mr. COCHRAN, and Mr. WICKER)):

S. 2975. A bill to provide additional funds for affordable housing for low-income seniors, disabled persons, and others who lost their homes as a result of Hurricanes Katrina and Rita; to the Committee on Banking, Housing, and Urban 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. CASEY (for himself, Mr. CHAMBLISS, Mr. BINGAMAN, and Mr. ISAKSON):

S. Res. 549. A resolution expressing the sense of the Senate with respect to childhood stroke and designating May 3, 2008, as "National Childhood Stroke Awareness Day"; considered and agreed to.

By Mr. BIDEN (for himself, Mr. LUGAR, and Mr. MARTINEZ):

S. Res. 550. A resolution expressing the sense of the Senate regarding provocative and dangerous statements made by the Government of the Russian Federation that undermine the territorial integrity of the Republic of Georgia; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 1070

At the request of Mrs. LINCOLN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1070, a bill to amend the Social Security Act to enhance the social

security of the Nation by ensuring adequate public-private infrastructure and to resolve to prevent, detect, treat, intervene in, and prosecute elder abuse, neglect, and exploitation, and for other purposes.

S. 1715

At the request of Ms. SNOWE, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1715, a bill to amend title XVIII of the Social Security Act to eliminate discriminatory copayment rates for outpatient psychiatric services under the Medicare program.

S. 1942

At the request of Mr. HARKIN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1942, a bill to amend part D of title V of the Elementary and Secondary Education Act of 1965 to provide grants for the renovation of schools.

S. 2523

At the request of Mr. KERRY, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 2523, a bill to establish the National Affordable Housing Trust Fund in the Treasury of the United States to provide for the construction, rehabilitation, and preservation of decent, safe, and affordable housing for low-income families.

S. 2551

At the request of Mr. INHOFE, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 2551, a bill to provide for the safe development of a repository at the Yucca Mountain site in the State of Nevada, and for other purposes.

S. 2770

At the request of Mrs. FEINSTEIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2770, a bill to amend the Federal Meat Inspection Act to strengthen the food safety inspection system by imposing stricter penalties for the slaughter of nonambulatory livestock.

S. 2783

At the request of Mr. ENSIGN, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 2783, a bill to allow for additional flights beyond the perimeter restriction applicable to Ronald Reagan Washington National Airport.

S. 2836

At the request of Mr. CHAMBLISS, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 2836, a bill to amend title 10, United States Code, to include service after September 11, 2001, as service qualifying for the determination of a reduced eligibility age for receipt of non-regular service retired pay.

S. 2874

At the request of Mrs. FEINSTEIN, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 2874, a bill to amend titles

5, 10, 37, and 38, United States Code, to ensure the fair treatment of a member of the Armed Forces who is discharged from the Armed Forces, at the request of the member, pursuant to the Department of Defense policy permitting the early discharge of a member who is the only surviving child in a family in which the father or mother, or one or more siblings, served in the Armed Forces and, because of hazards incident to such service, was killed, died as a result of wounds, accident, or disease, is in a captured or missing in action status, or is permanently disabled, and for other purposes.

S. 2895

At the request of Mr. DODD, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 2895, a bill to amend the Higher Education Act of 1965 to maintain eligibility, for Federal PLUS loans, of borrowers who are 90 or more days delinquent on mortgage loan payments, or for whom foreclosure proceedings have been initiated, with respect to their primary residence.

S. 2934

At the request of Mr. MENENDEZ, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 2934, a bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide a plot allowance for spouses and children of certain veterans who are buried in State cemeteries.

S. 2942

At the request of Mr. CARDIN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2942, a bill to authorize funding for the National Advocacy Center.

S. RES. 548

At the request of Mr. DODD, the names of the Senator from Florida (Mr. MARTINEZ) and the Senator from Minnesota (Mr. COLEMAN) were added as cosponsors of S. Res. 548, a resolution recognizing the accomplishments of the members and alumni of AmeriCorps and the contributions of AmeriCorps to the lives of the people of the United States.

AMENDMENT NO. 4616

At the request of Mr. ENSIGN, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of amendment No. 4616 intended to be proposed to H.R. 2881, a bill to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REID (for himself and Mrs. FEINSTEIN):

S. 2970. A bill to enhance the ability of drinking water utilities in the

United States to develop and implement climate change adaptation programs and policies, and for other purposes; to the Committee on Environment and Public Works.

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

There being on objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2970

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 "Climate Change Drinking Water Adaptation Research Act."

SEC. 2. FINDINGS.

Congress finds that—

(1) the consensus among climate scientists is overwhelming that climate change is occurring more rapidly than can be attributed to natural causes, and that significant impacts to the water supply are already occurring;

(2) among the first and most critical of those impacts will be change to patterns of precipitation around the world, which will affect water availability for the most basic drinking water and domestic water needs of populations in many areas of the United States;

(3) drinking water utilities throughout the United States, as well as those in Europe, Australia, and Asia, are concerned that extended changes in precipitation will lead to extended droughts;

(4) supplying water is highly energy-intensive and will become more so as climate change forces more utilities to turn to alternative supplies;

(5) energy production consumes a significant percentage of the fresh water resources of the United States;

(6) since 2003, the drinking water industry of the United States has sponsored, through a nonprofit water research foundation, various studies to assess the impacts of climate change on drinking water supplies;

(7) those studies demonstrate the need for a comprehensive program of research into the full range of impacts on drinking water utilities, including impacts on water supplies, facilities, and customers;

(8) that nonprofit water research foundation is also coordinating internationally with other drinking water utilities on shared research projects and has hosted international workshops with counterpart European and Asian water research organizations to develop a unified research agenda for applied research on adaptive strategies to address climate change impacts;

(9) research data in existence as of the date of enactment of this Act—

(A) summarize the best available scientific evidence on climate change;

(B) identify the implications of climate change for the water cycle and the availability and quality of water resources; and

(C) provide general guidance on planning and adaptation strategies for water utilities; and

(10) given uncertainties about specific climate changes in particular areas, drinking water utilities need to prepare for a wider range of likely possibilities in managing and delivery of water.

SEC. 3. RESEARCH ON THE EFFECTS OF CLIMATE CHANGE ON DRINKING WATER UTILITIES.

(a) IN GENERAL.—The Administrator of the Environmental Protection Agency, in cooperation with the Secretary of Commerce,

the Secretary of Energy, and the Secretary of the Interior, shall establish and provide funding for a program of directed and applied research, to be conducted through a non-profit water research foundation and sponsored by drinking water utilities, to assist suppliers of drinking water in adapting to the effects of climate change.

(b) RESEARCH AREAS.—The research conducted in accordance with subsection (a) shall include research into—

(1) water quality impacts and solutions, including research—

(A) to address probable impacts on raw water quality resulting from—

(i) erosion and turbidity from extreme precipitation events;

(ii) watershed vegetation changes; and

(iii) increasing ranges of pathogens, algae, and nuisance organisms resulting from warmer temperatures; and

(B) on mitigating increasing damage to watersheds and water quality by evaluating extreme events, such as wildfires and hurricanes, to learn and develop management approaches to mitigate—

(i) permanent watershed damage;

(ii) quality and yield impacts on source waters; and

(iii) increased costs of water treatment;

(2) impacts on groundwater supplies from carbon sequestration, including research to evaluate potential water quality consequences of carbon sequestration in various regional aquifers, soil conditions, and mineral deposits;

(3) water quantity impacts and solutions, including research—

(A) to evaluate climate change impacts on water resources throughout hydrological basins of the United States;

(B) to improve the accuracy and resolution of climate change models at a regional level;

(C) to identify and explore options for increasing conjunctive use of aboveground and underground storage of water; and

(D) to optimize operation of existing and new reservoirs in diminished and erratic periods of precipitation and runoff;

(4) infrastructure impacts and solutions for water treatment facilities and underground pipelines, including research—

(A) to evaluate and mitigate the impacts of sea level rise on—

(i) near-shore facilities;

(ii) soil drying and subsidence; and

(iii) reduced flows in water and wastewater pipelines; and

(B) on ways of increasing the resilience of existing infrastructure and development of new design standards for future infrastructure;

(5) desalination, water reuse, and alternative supply technologies, including research—

(A) to improve and optimize existing membrane technologies, and to identify and develop breakthrough technologies, to enable the use of seawater, brackish groundwater, treated wastewater, and other impaired sources;

(B) into new sources of water through more cost-effective water treatment practices in recycling and desalination; and

(C) to improve technologies for use in—

(i) managing and minimizing the volume of desalination and reuse concentrate streams; and

(ii) minimizing the environmental impacts of seawater intake at desalination facilities;

(6) energy efficiency and greenhouse gas minimization, including research—

(A) on optimizing the energy efficiency of water supply and improving water efficiency in energy production; and

(B) to identify and develop renewable, carbon-neutral energy options for the water supply industry;

(7) regional and hydrological basin cooperative water management solutions, including research into—

(A) institutional mechanisms for greater regional cooperation and use of water exchanges, banking, and transfers; and

(B) the economic benefits of sharing risks of shortage across wider areas;

(8) utility management, decision support systems, and water management models, including research—

(A) into improved decision support systems and modeling tools for use by water utility managers to assist with increased water supply uncertainty and adaptation strategies posed by climate change;

(B) to provide financial tools, including new rate structures, to manage financial resources and investments, because increased conservation practices may diminish revenue and increase investments in infrastructure; and

(C) to develop improved systems and models for use in evaluating—

(i) successful alternative methods for conservation and demand management; and

(ii) climate change impacts on groundwater resources;

(9) reducing greenhouse gas emissions and energy demand management, including research to improve energy efficiency in water collection, production, transmission, treatment, distribution, and disposal to provide more sustainability and means to assist drinking water utilities in reducing the production of greenhouse gas emissions in the collection, production, transmission, treatment, distribution, and disposal of drinking water;

(10) water conservation and demand management, including research—

(A) to develop strategic approaches to water demand management that offer the lowest-cost, noninfrastructural options to serve growing populations or manage declining supplies, primarily through—

(i) efficiencies in water use and reallocation of the saved water;

(ii) demand management tools;

(iii) economic incentives; and

(iv) water-saving technologies; and

(B) into efficiencies in water management through integrated water resource management that incorporates—

(i) supply-side and demand-side processes;

(ii) continuous adaptive management; and

(iii) the inclusion of stakeholders in decisionmaking processes; and

(11) communications, education, and public acceptance, including research—

(A) into improved strategies and approaches for communicating with customers, decisionmakers, and other stakeholders about the implications of climate change on water supply; and

(B) to develop effective communication approaches to gain—

(i) public acceptance of alternative water supplies and new policies and practices, including conservation and demand management; and

(ii) public recognition and acceptance of increased costs.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$25,000,000 for each of fiscal years 2009 through 2019.

By Mr. REID (for Ms. LANDRIEU (for herself, Mr. COCHRAN and Mr. WICKER)):

S. 2975. A bill to provide additional funds for affordable housing for low-income seniors, disabled persons, and others who lost their homes as a result of Hurricanes Katrina and Rita; to the

Committee on Banking, Housing, and Urban Affairs.

Ms. LANDRIEU. Mr. President, I come to the floor today to speak on behalf of some of our most in need gulf coast residents impacted by Hurricanes Katrina and Rita. As you know the gulf coast was devastated in 2005 by two of the most powerful storms to ever hit the U.S. in recorded history—Hurricanes Katrina and Rita. We also experienced the unprecedented disaster of having a major metropolitan city—the City of New Orleans—under up to 20 feet of water for two weeks when there were 28 separate levee failures which flooded 12,000 acres, or 80 percent of New Orleans, following Katrina.

In particular, I am speaking on behalf of our elderly and disabled residents impacted by these disasters. Many of these people are too frail or fragile to live on their own, yet they do not belong in a hospital. We have many people who been in seen homes or apartments for disabled and elderly residents, for adults who are not older but instead disabled through an accident or injury. In many cities, this type of housing is run by such organizations as Catholic Charities or other nonprofits. Right now in the gulf coast region, we desperately need more of this type of housing to take care of the most fragile people who either are without shelter or are without safe, affordable shelter with appropriate supportive services. One can imagine the challenges of providing sufficient housing for this group under normal circumstances. But here we find ourselves, dealing with the aftermath of a catastrophe, trying to provide additional housing for thousands of people now returning to the region.

According to the Congressional Research Service, 88,000 persons aged 65 or older were displaced by Hurricane Katrina—of that group 45,000 were 75 years of age or older. Furthermore, almost 15 percent of all displaced seniors had incomes below the poverty line. While recovery has primarily focused on restoring owner-occupied and rental housing, U.S. Department of Housing and Urban Development, HUD, assisted housing for our elderly and disabled residents has not received a great deal of attention. In particular, 123 properties of Section 202 housing, which serves elderly residents, and Section 811 housing, which serves disabled residents, were impacted by Hurricanes Katrina and Rita in my State alone. This includes 5,261 total units of 202/811 housing. As of February 2008, 602 of these units were still offline and I am aware that, for every unit of 202 housing, there are 10 eligible low-income seniors on the waiting list.

To further highlight the ongoing needs of the gulf coast, let me provide a snapshot of one community in my State—New Orleans East. In our Vietnamese community in New Orleans East, 6,000 people—or approximately 95 percent of the pre-Katrina population—have returned to the area. Of this 6,000,

it is estimated that 2,400 are seniors. The average age of these seniors is 72 years of age and 98 percent are considered extremely low-income according to HUD standards. This means that they earn below 30 percent of the area median income a year, or less than \$12,550 a year. Of these seniors 82 percent receive supplemental security income as their only source of income—approximately \$637 per month for a single household.

Prior to Katrina, there were six retirement communities in New Orleans East, consisting of about 735 units, serving this community. Presently none of them are in operation. This is not just a short-term recovery problem as the demand for age-restricted housing will continue to increase in the next few years, particularly in New Orleans East.

Given the ongoing needs in the southern part of my State in regard to damaged multifamily and senior/disabled housing, as well as all across the Gulf Coast, I am proud to introduce today the Gulf Coast Multifamily and Assisted Housing Recovery Act of 2008. I am joined on this bill by my colleagues Senator THAD COCHRAN and Senator ROGER WICKER. This legislation includes some key provisions which should target assistance where it is most needed. The bill will also help to cut through some Federal red tape stalling redevelopment efforts in the region.

To address the affordable housing needs in my State, as well as across the gulf coast, our bill authorizes \$125 million for additional Section 202 housing and \$75 million for new Section 811 housing. This provision would create almost 1,500 new 202/811 units. The bill would also authorize \$4 million to cover gaps for the redevelopment of former Section 202 housing in the City of New Orleans and St. Bernard Parish.

Another major problem in New Orleans East is that 50 seniors were living pre-Katrina at Versailles Arms, a project-based Section 8 housing development which has not reopened. I understand that a few weeks ago the community boarded up the development. While this property is sitting vacant—but vacant with a project-based contract still attached to it—Mary Queen of Viet Nam Community Development Corporation, MQVN, and Providence Community Housing have begun work on Phase I of the Mary Queen of Viet Nam Retirement Community. This project would provide 84 units of affordable senior housing. Their problem, however, is with the downturn in the tax credit market in the last 4 months, the equity investment will not be sufficient to cover the development costs. For example, the current rent structure, which is below the market rates, is not sufficient to support a mortgage to cover the development gap, so they are in need of a project-based subsidy to complete the project.

MQVN have been trying to work with our local housing authority, the Hous-

ing Authority of New Orleans, HANO, to secure project-based assistance for this project. However, as many of our developers have discovered, HANO has exhausted its 20 percent maximum set aside for project-based subsidies. This is troubling for those of us in Congress, especially for my colleagues and I who are members of the Senate Appropriations Committee. Last year, via the fiscal year 08 Supplemental Appropriations bill, we provided HANO with additional vouchers by allowing HUD to utilize pre-Katrina population figures in allocating Section 8 vouchers, rather than post-Katrina population figures. While there certainly are increased demands for such assistance, the fact that so many developments are in need of this type of assistance and that HANO lacks the necessary resources to fully address needs on the ground raises many questions. For my part, I do not have all the answers but I can provide a commonsense solution to address the need for project-based assistance in New Orleans and the rest of the gulf coast.

Each year, in the Transportation, Housing and Urban Development Appropriations bill, there has regularly been legislative authority for HUD to transfer some or all project-based assistance associated with one or more multifamily housing projects to another multifamily housing project or projects. In the fiscal year 06 Appropriations bill, Public Law 109-115, Section 318 addressed this issue, and in the fiscal year 08 Omnibus Appropriations bill, Public Law 110-161, which passed the Congress in December 2007, this language was contained in Section 215. While this language is discretionary, not mandatory, it does provide HUD with the legislative authority to transfer project-based assistance from a damaged or vacant property to another property, with certain restrictions. However, as I mentioned, this annual language is discretionary so HUD is not required to review and approve transfer requests. This has proven to be the main obstacle for housing organizations. Some of these properties have been destroyed and, rather than asking for new project-based contracts, the developers simply want to transfer the existing ones to new buildings. This would maximize existing resources, and in many cases, could help communities build housing which could better resist future disasters.

While HUD currently has this transfer authority, there have been numerous instances post-Katrina where HUD has failed to quickly implement such transfers. For example, Mississippi Methodist Senior Services, MMSS, is a nonprofit which, despite testifying before Congress last year, ended up having its Section 318 transfer request rejected by HUD. It subsequently lost 65 units of elderly housing. This is even more troubling as MMSS was the first non-profit in Mississippi to provide affordable housing for seniors. So this is a group with extensive experience in

senior housing—one with deep roots in the community. The nonprofit had seven properties throughout the State, serving 1,800 seniors daily. One of its properties in Biloxi had significant wind damage and suffered 2 feet of Gulf water on the first floor. Upon further inspection, there was additional damage found and their insurance company determined it would only cover repairs on the first floor. This left MMSS with an uninhabitable building and a \$1 million gap between insurance and the amount that was necessary for repairs.

To redevelop the property and provide badly needed housing, MMSS intended to transfer the 65 units of project-based assistance to a new site further inland. The new site would be in a better position to avoid gulf coast waves and weather patterns. As with most gulf coast groups in this situation, MMSS submitted a Section 318 request and started working with HUD to prepay the existing mortgage, sell the property, and transfer the Section 8 contract. However, in December 2006, HUD eventually refused the transfer, forcing MMSS to abandon the contract and sell the property. This resulted in the loss of housing for 65 elderly families. Our observation of these failures has led us to believe there is a need for Congress to enact stronger legislation on this issue.

To address this issue, the legislation I am introducing would tackle this problem in three important ways. First, this bill would require HUD to maintain project-based contracts in declared Katrina and Rita areas until the date specified in the contract or not less than 3 months after the property is made habitable. This provision would ensure that there is no loss of current project-based contracts. Next, the bill would require HUD to review and approve any feasible transfer proposal made by owners of damaged/destroyed multifamily housing. The language in this bill tracks Section 215 language from the fiscal year 08 Omnibus, except that we limit this requirement for Alabama, Mississippi, and Louisiana and sunset it on October 1, 2009. These restrictions are to ensure that it is strictly for recovery purposes. Lastly, to get a full picture of the number of units that may have been lost, the bill requires that HUD report to Congress on the number and location of project-based contracts which have been cancelled since the storms. These key provisions would make a real difference not only for MQVN in New Orleans East but for countless providers of multifamily housing across the gulf coast.

As chairman of the Homeland Security Subcommittee on Disaster Recovery, I have been working with my Senate colleagues to push for better Federal Government disaster preparedness. Therefore, in addition to addressing current needs on the gulf coast, the bill also looks forward to future disasters. This bill requires that, not later than June 1, 2008—the start of the 2008 Atlantic Hurricane season—that HUD

provide Congress with a disaster response plan for HUD-assisted Section 202/811 properties. A number of recommendations have been made to HUD by the affordable housing community on regulatory waivers and funding gaps that the agency will face in future disaster situations. There is no reason that HUD, or Congress for that matter, should have to expend future resources, time, and energy to address some of the similar issues which this bill is attempting to address for Katrina and Rita areas. Lessons learned from Katrina and Rita have been well documented by Congress. It is now time that HUD improves its preparedness and response to disasters which could impact assisted properties.

In closing, let me reiterate that this bill addresses one of the most fundamental needs following a disaster: the need to return home. For our elderly and disabled residents, a safe and affordable home is even more essential. Many gulf coast residents lost homes, family members, and pets, among other things. It is our obligation as a city, county/parish, State, and as a nation to help. So I am here today, for my part, to try to put forward legislation which I strongly believe will make a real difference for those most in need in the gulf coast region. I urge my colleagues to support this bipartisan recovery legislation as these disaster victims are counting on the United States Senate for action.

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

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

S. 2975

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 "Gulf Coast Multifamily and Assisted Housing Recovery Act".

SEC. 2. ADDITIONAL SUPPORT FOR HOUSING LOW-INCOME ELDERLY PERSONS.

Section 202 of the Housing Act of 1959 (12 U.S.C. 1701q) is amended by adding at the end the following:

"(n) ADDITIONAL SUPPORT FOR LOW-INCOME ELDERLY PERSONS DISPLACED BY HURRICANES KATRINA AND RITA.—

"(1) IN GENERAL.—In addition to any amounts authorized under subsection (m), for fiscal year 2009 there is authorized to be appropriated \$125,000,000 to the Secretary to provide assistance pursuant to this section to private nonprofit organizations and consumer cooperatives to expand the supply of supportive housing for low-income elderly persons—

"(A) who on August 28, 2005, for Hurricane Katrina and September 24, 2005, for Hurricane Rita, were residents in a designated disaster area;

"(B) whose primary residence—

"(i) was significantly damaged by Hurricane Katrina or Hurricane Rita or by flooding resulting from Hurricane Katrina or Hurricane Rita; or

"(ii) is uninhabitable as a result of damage or flooding resulting from Hurricane Katrina

or Hurricane Rita, including uninhabitability resulting from lack of electricity, water, or other services due to such damage or flooding; and

"(C) who cannot, in the discretion of the Secretary, afford to rebuild such residence.

"(2) ALLOCATION OF FUNDS.—Of the amounts authorized to be appropriated under paragraph (1), the Secretary shall allocate—

"(A) \$55,000,000 to the State of Louisiana;

"(B) \$50,000,000 to the State of Mississippi; and

"(C) \$20,000,000 to the State of Alabama.

"(3) DEFINITION.—As used in this subsection, the term 'designated disaster area' means any area in the States of Alabama, Mississippi, and Louisiana that was the subject of a disaster declaration by the President under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in response to Hurricanes Katrina and Rita of 2005."

SEC. 3. ADDITIONAL SUPPORT FOR LOW-INCOME PERSONS WITH DISABILITIES.

Section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013) is amended by adding at the end the following:

"(o) ADDITIONAL SUPPORT FOR LOW-INCOME PERSONS WITH DISABILITIES DISPLACED BY HURRICANES KATRINA AND RITA.—

"(1) IN GENERAL.—In addition to any amounts authorized under subsection (m), for fiscal year 2009 there is authorized to be appropriated \$75,000,000 to the Secretary to provide assistance pursuant to this section to private, nonprofit organizations to expand the supply of supportive housing for persons with disabilities—

"(A) who on August 28, 2005, for Hurricane Katrina and September 24, 2005, for Hurricane Rita, were residents in a designated disaster area;

"(B) whose primary residence—

"(i) was significantly damaged by Hurricane Katrina or Hurricane Rita or by flooding resulting from Hurricane Katrina or Hurricane Rita; or

"(ii) is uninhabitable as a result of damage or flooding resulting from Hurricane Katrina or Hurricane Rita, including uninhabitability resulting from lack of electricity, water, or other services due to such damage or flooding; and

"(C) who cannot, in the discretion of the Secretary, afford to rebuild such residence.

"(2) ALLOCATION OF FUNDS.—Of the amounts authorized to be appropriated under paragraph (1), the Secretary shall allocate—

"(A) \$35,000,000 to the State of Louisiana;

"(B) \$25,000,000 to the State of Mississippi; and

"(C) \$15,000,000 to the State of Alabama.

"(3) DEFINITION.—As used in this subsection, the term 'designated disaster area' means any area in the States of Alabama, Mississippi, and Louisiana that was the subject of a disaster declaration by the President under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in response to Hurricanes Katrina and Rita of 2005."

SEC. 4. TARGETED HOUSING SUPPORT FOR LOW-INCOME ELDERLY PERSONS IN NEW ORLEANS AND ST. BERNARD PARISH.

There is authorized to be appropriated for the redevelopment (rebuilding or replacement) of housing authorized under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q) which was damaged or destroyed as a result of Hurricane Katrina of 2005—

(1) \$2,500,000 to the City of New Orleans; and

(2) \$1,500,000 to the Parish of St. Bernard.

SEC. 5. USE OF BUDGET-BASED RENT INCREASES FOR SECTION 202 AND 811 PROJECTS IN A DESIGNATED DISASTER AREA.

(a) SECTION 202.—Section 202 of the Housing Act of 1959 (12 U.S.C. 1701q), as amended by section 2, is further amended by adding at the end the following:

"(o) APPROVAL OF RENT INCREASES.—

"(1) IN GENERAL.—The Secretary shall annually adjust the rent levels on a budget-based basis of eligible projects to support the increased cost of operating or rehabilitating such projects.

"(2) CONDITIONS.—Rent adjustments pursuant to this section shall—

"(A) be subject to adjustment by the Secretary based on differences between estimated and actual costs of operating or rehabilitating such projects; and

"(B) not exceed the rent for comparable unassisted units in the area.

"(3) DEFINITIONS.—As used in this section—

"(A) the term 'eligible project' means a project that is—

"(i) assisted under subsection (c)(2); and

"(ii) located in a designated disaster area; and

"(B) the term 'designated disaster area' means any area in the States of Alabama, Mississippi, and Louisiana that was the subject of a disaster declaration by the President under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in response to Hurricanes Katrina and Rita of 2005."

(b) SECTION 811.—Section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), as amended by section 2, is further amended by adding at the end the following:

"(p) APPROVAL OF RENT INCREASES.—

"(1) IN GENERAL.—The Secretary shall annually adjust the rent levels on a budget-based basis of eligible projects to support the increased cost of operating or rehabilitating such projects.

"(2) CONDITIONS.—Rent adjustments pursuant to this section shall—

"(A) be subject to adjustment by the Secretary based on differences between estimated and actual costs of operating or rehabilitating such projects; and

"(B) not exceed the rent for comparable unassisted units in the area.

"(3) DEFINITIONS.—As used in this section—

"(A) the term 'eligible project' means a project that is—

"(i) assisted under subsection (d)(2); and

"(ii) located in a designated disaster area; and

"(B) the term 'designated disaster area' means any area in the States of Alabama, Mississippi, and Louisiana that was the subject of a disaster declaration by the President under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in response to Hurricanes Katrina and Rita of 2005."

SEC. 6. PRESERVATION AND PROVISION OF PROJECT-BASED HOUSING FOR AFFORDABLE HOUSING UNITS DAMAGED OR DESTROYED BY HURRICANES KATRINA OR RITA.

(a) REPORT ON TERMINATED PROJECT-BASED CONTRACTS IN DESIGNATED DISASTER AREA.—Not later than 45 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall provide a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives detailing—

(1) information on the number of project-based assistance contracts and units which were terminated in the designated disaster area after September 30, 2005;

(2) information on the specific developer, project name, location, number of units, and

project description for each project-based assistance contract which was terminated in the designated disaster area after September 2005; and

(3) such additional information as the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives shall reasonably require.

(b) TOLLING OF CONTRACT TERM.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a project-based assistance payments contract for a covered assisted multifamily housing project shall not expire or be terminated because of the damage or destruction of dwelling units in the project as a result of Hurricane Katrina or Hurricane Rita.

(2) EXPIRATION DATE.—The expiration date of the contract for a covered assisted multifamily housing project described under paragraph (1) shall be deemed to be the later of—

(A) the date specified in the contract; or

(B) the date that is not less than 3 months after the dwelling units in such project, or in a replacement project, are first made habitable.

(c) OWNER PROPOSALS FOR REUSE OR RESITING OF AFFORDABLE UNITS.—Pursuant to section 215 of title II of division K of Public Law 110-161 (121 Stat. 2433), the Secretary of Housing and Urban Development shall, not later than October 1, 2009, promptly review and approve—

(1) any feasible proposal made by the owner of a covered assisted multifamily housing project submitted to the Secretary that provides for the rehabilitation of such project and the resumption of use of the project-based assistance under the contract for such project; or

(2) the transfer, subject to the conditions established under section 215(b) of title II of division K of Public Law 110-161, of the contract for such covered assisted multifamily housing project, or in the case of a covered assisted multifamily housing project with an interest reduction payments contract, of the remaining budget authority under the contract, to a receiving project or projects.

(d) DEFINITIONS.—For purposes of this section—

(1) the term “covered assisted multifamily housing project” means housing that—

(A) meets one of the conditions established in section 215(c)(2) of title II of division K of Public Law 110-161;

(B) was damaged or destroyed by Hurricane Katrina or Hurricane Rita of 2005; and

(C) is located in an area in the States of Alabama, Mississippi, and Louisiana that was the subject of a disaster declaration by the President under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in response to Hurricane Katrina or Hurricane Rita of 2005;

(2) the term “designated disaster area” means any area in the States of Alabama, Mississippi, and Louisiana that was the subject of a disaster declaration by the President under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in response to Hurricanes Katrina and Rita of 2005;

(3) the term “project-based assistance” has the same meaning as in section 215(c)(3) of title II of division K of Public Law 110-161; and

(4) the term “receiving project or projects” has the same meaning as in section 215(c)(4) of title II of division K of Public Law 110-161.

SEC. 7. HOUSING DISASTER PLAN.

Not later than June 1, 2008, the Secretary of Housing and Urban Development shall—

(1) develop a written disaster response plan for federally-assisted properties, including

for properties that receive assistance pursuant to—

(A) section 202 of the Housing Act of 1959 (12 U.S.C. 1701q); and

(B) section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013); and

(2) submit such plan to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives.

TWO YEARS AFTER THE STORM: HOUSING NEEDS IN THE GULF COAST

(By Mr. Alan Brown)

INTRODUCTION

Chairman Dodd, Ranking Member Shelby and members of the Committee, I want to thank you for the opportunity to testify today. I am Alan Brown, the Vice President of Operations and Chief Operating Officer of Mississippi Methodist Senior Services (MMSS). Mississippi Methodist Senior Services has 11 campuses across the state of Mississippi and we serve 1,800 seniors on a daily basis. Our organization was one of the first in Mississippi to provide HUD housing for seniors and have been for 40 years. Currently, seven of our campuses have HUD subsidized housing communities, serving very low-income seniors.

Our organization is a member of the American Association of Homes and Services for the Aging (AAHSA), a 5,700 member association representing not-for-profit providers throughout the continuum of senior care: adult day services, home health, community services, senior housing, assisted living residences, continuing care retirement communities, and nursing homes. AAHSA members serve as many as two million people every day through mission-driven, not-for-profit organizations dedicated to providing the services people need, when they need them, in the place they call home.

DEMOGRAPHICS AND NEED OF SENIORS IN THE GULF

A Congressional Research Service report from November 2005 found that the “the aged may have been especially affected by Katrina” and estimated that 88,000 persons age 65 or older were displaced by the storm and of those, 45,000 were 75 and older. Almost 15% of all displaced seniors had incomes below the poverty line. Approximately 48% of the displaced seniors reported having at least one disability, and 26% reported two or more types of disabilities, including those that require an array of supportive and health services.

An estimated 70% of seniors throughout the Gulf owned their own homes and most had lived in their homes for 20 or more years. Among the elderly renters that were living in unsubsidized housing, 55% had lived in their rental properties over 20 years. According to HUD there are 1,054 assisted properties, over 47,000 units, in the areas affected by the hurricanes. Of the assisted properties, 228 are Section 202 elderly housing communities with almost 11,000 units. Among those, one hundred properties, with 12,559 units suffered severe damage. Seniors need these affordable, supportive housing communities to be restored and functional before they can return to the Gulf.

MISSISSIPPI METHODIST SENIOR SERVICES’ EXPERIENCE

On August 29, 2005, five of our campuses were damaged by Hurricane Katrina. Our Seashore Retirement Community campus in Biloxi, MS received the most damage. Seashore was located on Beach Blvd. (Hwy 90) and consisted of 124 market rate apartments, 42 assisted living units and a 65 unit HUD 202 project with project based Section 8 rental

subsidies. All of the buildings had substantial damage but none more so than the HUD building, Gulf Oaks Manor. In addition to significant wind damage, Gulf Oaks had 2 feet of gulf water on the first floor. Fifty-five of our residents refused to leave the campus and rode out the storm with the campus Executive Director who refused to leave them. We were able to evacuate them on August 31, 2005 and provided housing on our other campuses in North Mississippi.

MMSS had what we considered to be good, comprehensive insurance coverage, including flood coverage. We immediately began the process of restoring the campus. We deployed resources from across the state and within three weeks had a complete damage assessment of the property. We were able to restore the market rate buildings and assisted living units by mid October. Little did we know that our challenges with our HUD 202 project were just beginning.

Inspections of the HUD building revealed that there was water damage on the upper floors in addition to the flood damage on the first floor. The heat and humidity following the hurricane coupled with days of no utilities and air flow had created a major mold problem. After weeks of inspections and professional opinions, our insurance carrier determined that the damage on the upper floors was pre-existing, not related to the hurricane and would not be a covered loss. Our insurance coverage would only cover the repairs to the first floor. MMSS was left with an uninhabitable building and a \$1-million dollar gap between what the insurance covered and what it would take to repair the building. In our initial conversations with HUD representatives about how we could solve this problem, we were told that:

HUD would not loan MMSS the money to cover the insurance gap;

MMSS would not be permitted to borrow money from any other source;

HUD would not forgive any of the debt in our original Section 202 loan;

HUD would not allow MMSS to prepay the mortgage.

In spite of these restrictions, HUD informed us that they did not want to lose the assisted housing units. The Department recommended that MMSS find a buyer for the damaged property and stated that any new buyer must continue the property as a 202 project.

In addition, to our discussions with HUD to save the property, MMSS researched additional resources to meet the funding gap to repair the property. Our FEMA request for help was denied because we were classified as a “non-essential service.” With that status, we were advised to seek a Small Business Administration loan, an option that was not available to us because of our HUD financing. Essentially, we had no options.

Eventually, we contacted the American Association of Homes and Services for the Aging (AAHSA) and asked for help. AAHSA immediately contacted senior HUD officials who made us aware of a provision in the FY2006 appropriations legislation, Section 318, which allowed for the relocation of project based Section 8 contracts from non-viable, obsolete HUD projects that had been damaged to new buildings. It seemed to us that the provision was tailor made for our situation and many other hurricane damaged properties. In March 2006, I met with Hank Williams, Deputy Assistant Secretary for Multifamily Housing and he encouraged us to apply for a Section 318 transfer.

On March 31, 2006, we notified our Mississippi HUD office that we would be requesting a Section 318 transfer of the project-based Section 8 contract and provided our

initial responses to the Section 318 requirements. About this time, we received an unsolicited offer from a local developer to purchase the entire campus. We accepted, contingent upon our being able to obtain a relocation or release for the property from HUD. We believed it was in the best interest of our residents to build a new campus further inland that would not be affected by future hurricanes. This offer would also give us the opportunity to rebuild the HUD building in a safer location at no additional cost to HUD. We planned to have a new campus with a new HUD building and we could restore 65 subsidized apartments for seniors on the Gulf Coast which had been in existence since 1984.

On July 5, 2006, we submitted our formal Section 318 request to HUD headquarters, outlining our plan and asked HUD for dialogue on how we could make this happen. Weeks passed and we heard nothing from HUD. On August 8, 2006, we once again contacted AAHSA staff and asked for their help. On August 17, 2006 AAHSA had a series of conversations with a senior HUD staff member who assured them they were going to make this happen. On August 29, 2006, after no contact from HUD, we contacted Senator Thad Cochran's office and asked for help. Our business interruption insurance coverage was ending and financially we were fading fast. We needed to complete this process to save the HUD project as well as the entire campus. Senator Cochran's staff responded immediately and HUD assured them that we were a priority. Weeks passed with no response from HUD. At times when MMSS would request an update from HUD, we were told that they were not sure what desk it was on. On one occasion we were told they were waiting because we did not send a hard copy of our paperwork and they only had an electronic copy. We had submitted a hard copy and it was electronically elevated by HUD staff according to their own protocol. Senator Cochran's staff intervened again in mid-September. They were assured our application was in process.

On October 2, 2007, more than six months after our notification of intent to pursue a Section 318 project based Section 8 transfer and almost three months after our formal request was submitted to HUD headquarters, we received a letter from HUD notifying us that our Section 318 request had been denied. I have attached correspondence outlining things that would have to be done for the request to be reconsidered. The items had not been communicated to us previously and were either economically infeasible or incapable of being completed for many months. At this point our request had been denied, our insurance coverage was exhausted and we were in jeopardy of losing the sale of the entire property.

Throughout this process the Jackson, Mississippi HUD office was very helpful. Thanks to that office we learned that our contract, a pre-1984 HUD 202 contract, could actually be pre-paid with 30 days notice and without HUD approval. After much consideration, we felt this was our only option to continue providing senior housing on the Gulf Coast. However, we wanted to make one last effort to save the 65 Section 8 rent subsidies and transfer them to a new building. We notified HUD of our intent to pay-off the 202 mortgage and they gave us the process to follow, including the notification letter that we needed to send former residents to notify them of the sale. In numerous phone conversations with HUD officials in Washington, D.C., we repeatedly asked for permission to transfer the Section 8 rental subsidies to a new building so we could preserve those subsidies and continue serving low-income residents at the new property. HUD informed us that it had never been done before and de-

spite having the legal authority, they would have to get a legal opinion and call us back. The next day they called back and told us the Section 8 subsidies could be moved and they would let us know the process. We were ecstatic that this would allow us to restore the low income units on the Gulf Coast and most importantly, offer our previous residents a chance to return to MMSS on the new campus.

As we got closer to closing on the sale, HUD notified us that the letter used to notify residents of the property sale did not use the correct language. We reminded HUD that we had used the exact letter that they had provided. Just before closing, we inquired again about the process for moving the Section 8 subsidies to a new building as HUD had said we could do. We were told that HUD never agreed to that and that the subsidies had to stay with the damaged building. In the end, despite their insistence that HUD was committed to preserving units and having the authority to transfer the contract to a new, safer building, HUD essentially forced USSM to give up project based Section 8 contract to complete the sale of the campus. More disturbing, HUD had done what the hurricane had not even been able to do, permanently displace those residents that rode out the storm in their homes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 549—EXPRESSING THE SENSE OF THE SENATE WITH RESPECT TO CHILDHOOD STROKE AND DESIGNATING MAY 3, 2008, AS “NATIONAL CHILDHOOD STROKE AWARENESS DAY”

Mr. CASEY (for himself, Mr. CHAMBLISS, Mr. BINGAMAN, and Mr. ISAKSON) submitted the following resolution; which was considered and agreed to:

S. RES. 549

Whereas a stroke, also known as a “cerebrovascular accident”, is an acute neurologic injury that occurs when the blood supply to a part of the brain is interrupted by a clot in the artery or a burst of the artery;

Whereas a stroke is a medical emergency that can cause permanent neurologic damage or even death if not promptly diagnosed and treated;

Whereas 26 out of every 100,000 newborns and almost 3 out of every 100,000 children have a stroke each year;

Whereas an individual can have a stroke before birth;

Whereas stroke is among the top 10 causes of death for children in the United States;

Whereas 12 percent of all children who experience a stroke die as a result;

Whereas stroke recurs in 20 percent of children who have experienced a prior stroke;

Whereas the death rate for children who experience a stroke before the age of 1 year is the highest out of all age groups;

Whereas the average time from onset of symptoms to diagnosis of stroke is 24 hours, putting many affected children outside the window of 3 hours for the most successful treatment;

Whereas many children who experience a stroke will suffer serious, long-term neurological disabilities, including—

- (1) hemiplegia, which is paralysis of 1 side of the body;
- (2) seizures;
- (3) speech and vision problems; and
- (4) learning difficulties;

Whereas those disabilities may require ongoing physical therapy and surgeries;

Whereas the permanent health concerns and treatments resulting from strokes that occur during childhood and young adulthood have a considerable impact on children, families, and society;

Whereas very little is known about the cause, treatment, and prevention of childhood stroke;

Whereas medical research is the only means by which the citizens of the United States can identify and develop effective treatment and prevention strategies for childhood stroke;

Whereas early diagnosis and treatment of childhood stroke greatly improves the chances that the affected child will recover and not experience a recurrence; and

Whereas The Children's Hospital of Philadelphia should be commended for its initiative in creating the Nation's first program dedicated to pediatric stroke patients: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 3, 2008 as “National Childhood Stroke Awareness Day”; and

(2) urges the people of the United States to support the efforts, programs, services, and advocacy of organizations that work to enhance public awareness of childhood stroke.

SENATE RESOLUTION 550—EXPRESSING THE SENSE OF THE SENATE REGARDING PROVOCATIVE AND DANGEROUS STATEMENTS MADE BY THE GOVERNMENT OF THE RUSSIAN FEDERATION THAT UNDERMINE THE TERRITORIAL INTEGRITY OF THE REPUBLIC OF GEORGIA

Mr. BIDEN (for himself, Mr. LUGAR, and Mr. MARTINEZ) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 550

Whereas, since 1993, the territorial integrity of the Republic of Georgia has been reaffirmed by the international community and 32 United Nations Security Council resolutions;

Whereas the Government of the Republic of Georgia has pursued with good faith the peaceful resolution of territorial conflicts in the regions of Abkhazia and South Ossetia since the end of hostilities in 1993;

Whereas President of Georgia Mikheil Saakashvili has offered a clear plan for resolving the conflict in Abkhazia and securing legitimate interests of the Abkhaz and South Ossetian people within a unified Georgia;

Whereas, for several years, the Government of Russia has engaged in an ongoing process of usurping the sovereignty of Georgia in Abkhazia and South Ossetia by awarding subsidies, the right to vote in elections in Russia, and Russian passports to people living in those regions;

Whereas the announcement of the Government of the Russian Federation that it will establish “official ties” with the breakaway regions of Abkhazia and South Ossetia and further involve itself in aspects of their government appears to be a thinly veiled attempt at annexation;

Whereas the statements and counter-productive behavior of the Government of the Russian Federation in these regions has undermined the peace and security of those regions, the Republic of Georgia, and the region as a whole; and

Whereas the consistent effort to undermine the sovereignty of a neighbor is incompatible with the role of the Russian Federation

as one of the world's leading powers and is inconsistent with the commitments to international peacekeeping made by the Government of the Russian Federation: Now, therefore, be it

Resolved, That the Senate—

(1) condemns recent decisions made by the Government of the Russian Federation to establish "official ties" with the breakaway regions of Abkhazia and South Ossetia, a process that further impedes reconciliation between those regions and the Government of Georgia and violates the sovereignty of the Republic of Georgia and the commitments of the Government of the Russian Federation to international peacekeeping;

(2) calls upon the Government of the Russian Federation to disavow this policy, which gives the appearance of being motivated by an appetite for annexation;

(3) affirms that the restoration of the territorial integrity of the Republic of Georgia is in the interest of all who seek peace and stability in the region;

(4) urges all parties to the conflicts in the Republic of Georgia and governments around the world to eschew rhetoric that escalates tensions and undermines efforts to negotiate a settlement to the conflicts; and

(5) commends the Government of Georgia for acting with restraint in the face of serious provocation.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4654. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table.

SA 4655. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 2881, *supra*; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4654. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ STUDY ON ADEQUACY OF TRAINING PROGRAMS FOR AIR TRAFFIC CONTROLLERS.

(a) **STUDY.**—The Administrator of the Federal Aviation Administration shall conduct a study, in consultation with representatives of air traffic controllers, to assess the adequacy of training programs for air traffic controllers.

(b) **CONTENTS.**—The study shall include—

(1) a review of the current training system for air traffic controllers;

(2) an analysis of the competencies required of air traffic controllers for successful performance in the current air traffic control environment;

(3) an analysis of competencies required of air traffic controllers as the Federal Aviation Administration transitions to the Next Generation Air Transportation System;

(4) an analysis of various training approaches available to satisfy the controller competencies identified under paragraphs (2) and (3); and

(5) an analysis of various training approaches available to ensure that the controller competencies identified under paragraphs (2) and (3) are maintained when airspace is transferred from one air traffic control center to another.

(c) **REPORT.**—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the study.

SA 4655. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

On page 65, line 24, insert "realign engineering services or" after "not".

MAKING TECHNICAL CORRECTIONS TO THE NEWBORN SCREENING SAVES LIVES ACT OF 2007

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 5919.

The ACTING PRESIDENT *pro tempore*. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 5919) to make technical corrections regarding the Newborn Screening Saves Lives Act of 2007.

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

Mr. REID. Mr. President, I ask unanimous consent that the bill be read three times, passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to this bill be printed in the RECORD.

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

The bill (H.R. 5919) was ordered to a third reading, was read the third time, and passed.

NATIONAL CHILDHOOD STROKE AWARENESS DAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 549, submitted earlier today by Senator CASEY.

The ACTING PRESIDENT *pro tempore*. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 549) expressing the sense of the Senate with respect to childhood stroke and designating May 3, 2008, as "National Childhood Stroke Awareness Day."

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

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

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

The resolution (S. Res. 549) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 549

Whereas a stroke, also known as a "cerebrovascular accident", is an acute neurologic injury that occurs when the blood supply to a part of the brain is interrupted by a clot in the artery or a burst of the artery;

Whereas a stroke is a medical emergency that can cause permanent neurologic damage or even death if not promptly diagnosed and treated;

Whereas 26 out of every 100,000 newborns and almost 3 out of every 100,000 children have a stroke each year;

Whereas an individual can have a stroke before birth;

Whereas stroke is among the top 10 causes of death for children in the United States;

Whereas 12 percent of all children who experience a stroke die as a result;

Whereas stroke recurs in 20 percent of children who have experienced a prior stroke;

Whereas the death rate for children who experience a stroke before the age of 1 year is the highest out of all age groups;

Whereas the average time from onset of symptoms to diagnosis of stroke is 24 hours, putting many affected children outside the window of 3 hours for the most successful treatment;

Whereas many children who experience a stroke will suffer serious, long-term neurological disabilities, including—

(1) hemiplegia, which is paralysis of 1 side of the body;

(2) seizures;

(3) speech and vision problems; and

(4) learning difficulties;

Whereas those disabilities may require ongoing physical therapy and surgeries;

Whereas the permanent health concerns and treatments resulting from strokes that occur during childhood and young adulthood have a considerable impact on children, families, and society;

Whereas very little is known about the cause, treatment, and prevention of childhood stroke;

Whereas medical research is the only means by which the citizens of the United States can identify and develop effective treatment and prevention strategies for childhood stroke;

Whereas early diagnosis and treatment of childhood stroke greatly improves the chances that the affected child will recover and not experience a recurrence; and

Whereas The Children's Hospital of Philadelphia should be commended for its initiative in creating the Nation's first program dedicated to pediatric stroke patients: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 3, 2008 as "National Childhood Stroke Awareness Day"; and

(2) urges the people of the United States to support the efforts, programs, services, and advocacy of organizations that work to enhance public awareness of childhood stroke.

MEASURES READ THE FIRST
TIME—S. 2972 AND S. 2973

Mr. REID. Mr. President, there are two bills at the desk. I ask for their first reading en bloc.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

A bill (S. 2972) to reauthorize and modernize the Federal Aviation Administration.

A bill (S. 2973) to promote the energy security of the United States and for other purposes.

Mr. REID. I now ask for a second reading and, in order to place the bills on the calendar under the provisions of rule XIV, I object to my own request, all en bloc.

The ACTING PRESIDENT pro tempore. Objection is heard. The bills will be read for the second time on the next legislative day.

ORDER FOR THE RECORD TO
REMAIN OPEN

Mr. REID. I ask unanimous consent, notwithstanding adjournment of the Senate today, that the RECORD remain

open until 1 p.m. today for the purpose of the introduction of legislation, adding cosponsors, submission of statements, and that committees may file reported legislative and Executive Calendar business.

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

ORDERS FOR TUESDAY, MAY 6,
2008

Mr. REID. I now ask unanimous consent when the Senate completes its business today, it stand adjourned until 10 a.m., Tuesday, May 6; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that there then be a period of morning business for up to 1 hour, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; and that following morning business, the Senate resume consider-

ation of H.R. 2881, the FAA reauthorization bill. I further ask unanimous consent that notwithstanding any adjournment of the Senate, Senators be permitted to file amendments between 2 and 3:30 p.m. on Monday.

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

PROGRAM

Mr. REID. Mr. President, as previously ordered, the cloture vote on the substitute amendment will occur at 2:30 p.m., Tuesday, May 6. The filing deadline for first-degree amendments to the FAA bill is 3:30 Monday.

ADJOURNMENT UNTIL TUESDAY,
MAY 6, 2008, AT 10 A.M.

Mr. REID. I now ask unanimous consent the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 12:30 p.m., adjourned until Tuesday, May 6, 2008, at 10 a.m.