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Senate

(Legislative day of Thursday, July 17, 2008)

The Senate met at 3 p.m., on the expiration of the recess, and was called to order by the Honorable CLAIRE MCCASKILL, a Senator from the State of Missouri.

PRAYER

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

Let us pray.

Father of love, as we live this day, give us wisdom, strength, and love to serve You in all we do. We acknowledge You, Lord, as the creator and sustainer of our destinies, so show us how to do Your will.

Guide our Senators. Lead them by Your wisdom, as they seek to follow You. Illuminate their path with the light of Your truth and keep them from sin. Help them to overcome the temptation of trying to make it on their own strength and, instead, guide them until they yield to the inflow of Your wisdom, insight, and vision.

And Lord, continue to protect our military men and women in harm's way. We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable CLAIRE MCCASKILL 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, July 21, 2008.

To the Senate:

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

ROBERT C. BYRD,
President pro tempore.

Mrs. MCCASKILL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Madam President, following the remarks of the two leaders—I have talked to Senator MCCONNELL; my remarks are longer than his, and I thought it would be appropriate that he go first, so he will go first, and when he finishes, I will say a few words—we are going to resume consideration of the motion to proceed to the energy speculation bill. As we have announced before, there will be no roll-call votes today. The cloture vote will take place before noon tomorrow.

In addition to considering the energy speculation bill, we are going to return as soon as we can to the housing reform legislation. That has to be finished in the House. I understand they will do a rule tomorrow and perhaps vote on that on Wednesday or maybe on Tuesday.

There will be a classified briefing for Senators at 4 o'clock on Wednesday with National Security Adviser Stephen Hadley in S-407.

As Senators have known now for well more than a month, we are going to

work this weekend. We have work to do this weekend. Exactly what we will be doing depends a lot on what happens during the week, how time sequences out because of cloture and other such things, but we will be here this weekend. There is a lot to do.

RECOGNITION OF THE MINORITY LEADER

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

ENERGY

Mr. MCCONNELL. Madam President, I thank my good friend the majority leader for allowing me to go ahead. My remarks will be briefer than his.

All across the country, Americans are feeling the sting of record high gas prices at the pump. The cost of food is rising along with the price of gas. Truckers and stay-at-home parents and commuters and vacationers are frustrated at paying more for gas than any of them ever imagined.

The situation is urgent. It demands our full attention, and it demands a serious legislative response.

And though a barrel of crude oil costs roughly three times what it did when Democrats took over Congress a year and a half ago, so far, the Democrat leadership has been timid about solutions. They have treated high gas prices as a distraction. But the time for timidity has passed. Americans are demanding that Congress do something to lower the high price of gas, and they won't be fooled by gimmicks or half-measures.

The majority leader has moved to a bill that only addresses the issue of speculation. But no serious person thinks passing this legislation alone will fix the problem. I don't know of any reputable economists who think

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



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that simply addressing the futures market will significantly affect the price of gas.

Warren Buffett, the most famous rich Democrat in America, dismisses the idea.

T. Boone Pickens—who will be meeting with the Democrats tomorrow—dismisses the idea.

The Chairman of the Federal Reserve, Ben Bernanke, dismisses the idea.

Serious economists on all sides dismiss the idea.

The 27-nation International Energy Agency dismisses the idea.

Strengthening regulation of the futures market is a worthwhile piece of any legislative effort, but let's be clear from the outset: it is just a piece—and a small piece at that.

We need to think about the scope of this problem and act boldly. Problems this big require a bigger solution than a single idea by a single Member of Congress, not timid attempts to address only part of the problem.

As the senior Senator from Tennessee has said, can you imagine if President Kennedy had acted timidly when launching the space mission? What do you think the reaction would have been if he had declared we will go only a fraction of the way to the Moon?

Good ideas from both sides should be considered. And Americans, we know, are demanding nothing less.

They are demanding, above all, that we treat high gas prices for what they are: the single most important domestic issue facing Americans today. And they will know we are doing so when they see us dealing head on with supply and demand. Increased global demand for oil is not going down anytime soon. This means gas prices will not go down unless supply goes up.

And with gas prices now well above \$4 a gallon, the time has come for those who oppose a balanced approach to retreat from their long-held opposition to targeted and responsible oil exploration at home. They need to unlock the Outer Continental Shelf and lift their ban on the development of the vast oil shale deposits in western States.

America is the third-largest oil producer in the world. We possess within our own borders triple the amount of oil potential of Saudi Arabia with oil shale alone. It is time for the opponents of a balanced approach to unlock these vast domestic resources that will allow us to finally start the process of increasing domestic supply even as we work together toward a future free from dependence on Middle East oil.

Our friends have been reluctant until now to unlock these vast domestic reserves because of an aversion to fossil fuels and a sluggish attitude toward legislating in the middle of a Presidential election year. But Americans are more concerned right now about paying for gasoline and groceries than they are about the political calendar. And, over the past couple of weeks, a

number of our friends on the other side have indicated they want a balanced solution too.

So far, a dozen Democrats have expressed some level of openness to new domestic exploration. We are approaching a bipartisan consensus on the need to increase domestic supply. But their leadership isn't there. Their Presidential nominee opposes every effort to increase supply. The Speaker of the House is walking in lock-step with Al Gore.

It is time for Republicans and Democrats to come together on high gas prices. It is time to put aside old and outdated prejudices about offshore exploration, which is being done safely by countless other countries around the world and here at home too. It is time to use the resources we have and stop timidly nibbling around the edges. It is time to deliver for the American people. It is time to do what we were sent here to do.

A serious solution is already at hand. The Gas Price Reduction Act, with 44 copponsors, features a speculation piece that addresses the concerns of the bill the Democratic leadership would have us vote on tomorrow. But it is bolder than just that. It also contains the elements of a serious energy bill. It faces supply and demand head on by lifting the ban on Western oil shale development and opening up exploration far from the shores of the states that want it. And it promotes energy efficient vehicles like plug-in electric cars and trucks.

The Gas Price Reduction Act was written with one bipartisan principle in mind: find more, use less. If we adopt it, the American people will see that Congress is taking their concerns seriously.

Anything short of this bill will not be welcomed by the American people and will prove to be a waste of energy. If we pass the speculator piece alone, Americans will continue to demand a serious solution that gets at supply and demand. But we can avoid such a disappointment now by getting behind a proposal that directly addresses the price of gas at the pump.

This is a big problem, and the problem is bigger than just speculation; good ideas from all sides should be considered. It is what the American people demand.

HONORING OUR ARMED FORCES

PRIVATE FIRST CLASS SAMMIE E. PHILLIPS

Mr. McCONNELL. Madam President, I rise to speak about a hero of the Kentucky National Guard who gave his life in defense of freedom for our country. PFC Sammie E. Phillips was tragically killed on September 10, 2007, when his vehicle overturned during patrol in Iraq. Hailing from Elizabethtown, KY, he was 19 years old.

For his bravery in uniform, Private First Class Phillips earned several awards, medals and decorations, including the Good Conduct Medal, the

Kentucky Distinguished Service Medal and the Bronze Star.

Sammie's wife, Ashley Phillips, says of her husband, "I want everyone to know how proud Sammie was and how he truly was a hero, just like he always wanted to be."

In his too short life Sammie made a big impression on many people. He had a way of brightening any room when he walked in, and he made lots of friends.

"The thing I remember about Sammie the most was his smile," says Laura McGray, a former high-school teacher of his. "His eyes stood out. In some people their whole souls shine through their eyes. That was Sammie."

Sammie grew up in Elizabethtown and attended North Hardin High School in nearby Radcliff. Like a lot of young men his age, he enjoyed watching scary movies, and he liked Cadillac cars.

He was a big Tennessee Titans fan. He liked listening to rap music, and had big speakers in his car so he could do just that. Most of all, he enjoyed spending time with family and friends, especially Ashley, who he met during his junior year at North Hardin.

"He was very dedicated to his friends and relationships and would give a person the shirt off his back," says Ashley.

Sammie graduated from high school in 2006, and enlisted in the Kentucky National Guard. When he received his orders to deploy to Iraq, he asked Ashley to marry him. That was on a Wednesday. That Saturday, Sammie and Ashley were wed.

The happy couple had 10 days together before Sammie reported for training. In August of 2007, he shipped out to Iraq.

In uniform, Sammie continued to impress people just as he had in high school. He was assigned to Battery B, 2nd Battalion, 138th Field Artillery, based out of Carlisle, KY. He qualified as an expert gunner and became the gunner in his tank.

CAPT Robert S. Mattingly, the commander of Sammie's unit, calls Sammie "an excellent soldier who had unlimited potential. I rode with Sammie while training in Mississippi. He was one of our best gunners, the absolute cream of the crop. He was always ready to go, which is one of the best traits a soldier could possess."

Captain Mattingly adds:

I never met a person that didn't like Sammie Phillips.

Donald C. Storm, the former Adjutant General of the Kentucky National Guard, says Sammie was "a tremendous young soldier that just had tremendous potential."

Sammie aspired to one day be an architect, a goal he told Ashley about when they first met. He had hoped to go to school to study architecture once he returned from Iraq. He saw himself as a builder, and he built big dreams for himself and for a future with Ashley.

Sammie's unit returned home from Iraq in May of 2008. Sadly, PFC

Sammie Phillips did not return with them. At Sammie's funeral at the Stithton Baptist Church in Radcliff, 3,000 people turned out to pay their respects to the boy with the big smile. Sammie's mother, Rachel Crutcher, wrote a letter to her son that said:

I know you're in heaven saying, "Momma, don't cry."

Rachel says:

He was someone special, and I knew . . . that he'd be an inspiration to everyone he came in contact with.

Madam President, our prayers are for the Phillips family for their terrible loss. We are thinking of Sammie's wife, Ashley Phillips; his mother, Rachel Crutcher; his stepfather, Donny Crutcher; his father, Ronald Phillips; his sister, Cassandra Phillips; his brother, Logan Crutcher; his grandfather, Ted Stiles; and many more beloved family members and friends.

Madam President, Ashley tells us that her Sammie was proud of his service. He told his mom that if he were to die while wearing his country's uniform, "everyone was going to know who he was."

Well, this U.S. Senate knows, and we certainly will not forget PFC Sammie E. Phillips's service and sacrifice. We honor the life of this dedicated man, soldier, and patriot, and stand in awe of devotion like his that continues to keep our Nation safe and free.

I yield the floor.

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

PARTICIPATING IN THE LEGISLATIVE PROCESS

Mr. REID. Madam President, we have a very busy week ahead of us. I have announced some of the work we are going to do, but we really do have a lot to do. I look forward to this being a very productive week. I hope things work out as well as I anticipate.

Madam President—I am sorry that I referred to you as "Mr. President." That is pretty standard when you just have—as I mentioned last week, we sure have a lot more women than when I first came here. When I came here, we had Senator MIKULSKI. Now, on this side alone, we have 11 Democratic women, which has made the Senate a much better place.

Madam President, as Senators OBAMA, REED, and HAGEL travel through Iraq today, there is one conclusion they will undoubtedly all reach: our troops—about 150,000 strong—have done a remarkable, heroic job under nearly impossible circumstances.

This war has been going on for a long time—more than 6 years—approaching about \$1 trillion having been spent. Today, we are spending \$5,000 a second in Iraq. We have more than 3,000 double-amputees. We have a significant number of returning veterans who are blind, paralyzed, and, of course, the

traumatic head injuries they have had have been significant. It will be a legacy of this country for a long time to pay for all that. But because of the valor of these troops and their sacrifice, a war that was irresponsibly planned and incompetently waged by President Bush has now shown signs of improvement, and that is good. Neither Democrats nor Republicans can take any credit for that. Every ounce of credit goes to our men and women in uniform, and we are grateful to them beyond words to describe.

It would be impossible to fully repay our troops for the sacrifice they and their families have made. But this Congress took a historic step forward—over the President's objection and over Senator MCCAIN's statement that the bill was too generous—and we passed, in spite of MCCAIN's objection and the President's objection, a new GI bill of rights—the largest expansion of veterans' benefits since the original GI bill after World War II.

As Senator OBAMA visits Iraq to listen to our troops and commanders and meet with Iraqi leaders, it is becoming clear that America, Iraq, and the world are coalescing around Senator OBAMA's plan to end the war.

I spoke yesterday to someone I know very well. He has had three tours of duty in Iraq.

I said: James, what do you think of Senator OBAMA going to Iraq?

He said: The troops love him.

For someone who has had three tours of duty in Iraq, I think he has the credentials to say that.

That plan sets a responsible timeline for redeploying American combat brigades, transitions the responsibility for securing Iraq to the Iraqis—as Senator LEVIN has said for many years: Take the training wheels off and let them run their own country. It restores America's military readiness. Right now, because of this long war, our military is in very difficult shape. Estimates of bringing the military to what it was before the war started is now approaching at least \$150 billion. Finally, it takes the fight to America's No. 1 enemy, Osama bin Laden.

This weekend, Prime Minister Al-Maliki spoke in favor of the Obama plan. Today, despite pressure from the White House, Iraqi Government officials publicly reiterated their support. They want us out of their country. If you take a poll—and there have been many taken—80 percent of the Iraqis want us out of that country. They have suffered significantly during this war.

We are all glad Saddam Hussein is gone. But they do not know definitely the number of Iraqis who have been killed. There are wide-ranging estimates from 150,000 to 600,000. We know that millions have been displaced. There are 2 million out of the country. There are a million and a half wandering around inside of Iraq who are displaced.

The American people have known for years that our national security inter-

ests require us to carefully bring our troops home and call on the Iraqi people to take the reins of their own sovereign nation. The vast majority of Iraqis, I repeat, are eager for the day to come when they control their own destiny. They are ready for the war to responsibly draw to a close.

Even President Bush—even President Bush—who bears the primary responsibility for this incompetently managed war, is now belatedly and gradually moving toward some elements of key Democratic positions on Iran, Afghanistan, and Iraq. The President has labeled his new position for Iraq a "time horizon." Try to figure out what that means. We don't know. But at least he is recognizing there must be some timeline set. No one knows yet what a "time horizon" actually means, and it is clear that President Bush has no plans to draw down the war before he packs his bags in January. This critical national security decision will fall to the next President.

While it is becoming increasingly clear that the American people and Iraqi leaders strongly support the Obama plan to bring our troops home, Senator MCCAIN is stubbornly clinging to his open-ended commitment to endless war.

Senator MCCAIN has called upon Senator OBAMA to listen to our troops and commanders in Iraq. He criticizes Senator OBAMA for not going to Iraq again. And he criticized Senator OBAMA for going to Iraq. Senator OBAMA is, though, listening to our troops and commanders, and it is clearer than ever that his position was right from the beginning.

Now it is time for Senator MCCAIN to listen to the American people. If he does, he will discover a nation desperate for a responsible path out of Iraq. If Senator MCCAIN fails to join the chorus of calls for a responsible path out of Iraq, the choice in November will be even more clear than it is now.

Madam President, I want to talk about energy speculation, about energy generally.

This weekend, Senator MURRAY delivered the weekly Democratic radio address. In her remarks, the Senator from Washington said that her last gas fill-up in the State of Washington was \$4.35 a gallon. Nevada is not far behind.

I have spoken on the floor about gas prices on countless occasions, and each time the crisis has grown worse. Last month, we heard from a public school teacher, who gave the Democratic response to President Bush, a teacher in Auburn, NY, who has had to spend all the money he and his wife used to save for their children's college tuition on gasoline. All across our country, billions and billions of dollars that rightfully belong in the pockets and savings of American families are being funneled instead to oil companies and oil-producing countries. That diversion of savings from American families to foreign governments and oil companies is nothing short of a national crisis.

When our country is in a crisis, Congress must be ready to take action. We Democrats in Congress, working with Senator OBAMA, have tried to take action again and again. We have proposed both long- and short-term solutions—short-term solutions to bring down gas prices now and long-term solutions to attack the root of the problem: our growing addiction to oil.

We had something called the Energy First Act. It would end the billions of dollars in tax breaks for big oil companies whose executives have been hauling in record profits while we pay record prices. Last year, the oil companies made \$250 billion net.

Second, in that piece of legislation, we would force the oil companies to do their part by investing some of their profits in clean and affordable alternative energy—the Sun, the wind, geothermal, biofuels.

Third, we protect in that legislation the American people from price gougers and greedy oil traders who manipulate the market.

We also, in that legislation, among others things, stand up to OPEC and countries that are colluding to keep oil prices high.

One of my friends is a foremost antitrust lawyer in America. His name is Joe Alioto, Jr. He has painted the picture very clearly that there is a conspiracy going on. We have a bipartisan approach to that. Senator KOHL of Wisconsin and Senator SPECTER of Pennsylvania have joined to have OPEC subject to American antitrust laws.

Of course, we have been blocked on all four of these issues by the Republicans.

We have found with our efforts to do something about these energy prices that the Republicans have not been willing to participate in the legislative process. They have taken their cues from President Bush and, of course, from Senator MCCAIN that the solution to gas and oil prices starts and ends with more offshore drilling. Democrats have made it clear that we support more domestic production.

We have, counting ANWR and all the offshore potential that exists, less than 3 percent of the oil in the world. We use more than 25 percent of the oil in the world every day. So there is no question domestic production is part of the answer, but it is only one part of the answer. The minority would like us to believe that the moment we open more of our coast to the oil companies, gas prices will come tumbling down.

Less than 2 years ago, here in the Senate, we passed a bill that was signed by the President. We were told by the oil companies and others that if we opened the Gulf of Mexico to more drilling, it would really be good for our economy, good for oil production. But we allowed 8.3 million more acres in the Gulf of Mexico to be drilled, and here it is, almost 2 years since we passed that legislation, and not a single drill bit has been placed in that water.

So it seems to be kind of a hollow cry to say we need more places to drill when they have not used the places we gave them to drill. Sixty-eight million acres they have, and they have 8.3 million acres we gave them less than 2 years ago that they have not touched.

The truth is, it would take years—and even decades—for offshore oil to be explored, drilled, and distributed. Just to set up an oil rig would take more than 2 years. Equipment is not available. So in the short term, drilling would do absolutely nothing.

We have expressed our willingness to consider more drilling as part of any comprehensive short- and long-term package, but Republicans so far have not been willing to entertain other solutions.

We will begin this week by working on legislation that would have an immediate impact on gas prices. I heard my friend, the Republican leader, say: Well, speculation is not such a big deal. I do not think it is just fortuitous that once we started talking about doing something about speculation, the price of oil dropped. I think this speculation is way out of hand, and I am not the only one who feels that way.

We need legislation to rein in Wall Street traders who are unfairly driving up oil prices. These traders have no regard for the well-being of American families. The only thing they care about are their own profits. Prior to 2000, you could not speculate in oil. It was not allowed. But a Republican Congress led the charge, and now you can speculate in oil even if you are not going to use that oil. The only thing, it seems to me, that these speculators care about is how much money they can make, which they secure by bidding up the price of oil, buying huge quantities just to sell it at an even higher price. They have no plan to actually use the oil they buy. All they want to do is buy, sell, and repeat, leaving American families to pay the bill.

Now, there are wide-ranging suggestions as to how much this is. Twenty to fifty percent of the cost of oil is in speculation. Not all speculation is bad. Sometimes it helps the market determine a fair price for a commodity. Speculation in the oil market has gone on throughout the Bush administration with virtually no oversight, and it truly has gotten out of hand. Experts say this speculation is responsible, as I have indicated, for 20 percent—up to as much as 50 percent—of the price we pay at the pump. These are figures with actual people making those suggestions and those calculations: Academics, economists, and people who used to work for the Commodities Futures Trading Commission.

Democrats have proposed legislation—the Stop Excessive Energy Speculation Act—that would set a fair amount of oversight on this out-of-control trading. The Republicans have said in speeches and press conferences that they agree with us that speculation is

a problem. They have kind of now backtracked and said it is a problem but not a big problem. I assume they have been getting a lot of calls from Wall Street, as have we, but we are not going to be intimidated by them. We believe they are part of the problem, and we need to do something to make them a part of the solution.

To show that the Republicans believe that speculation is important, the bill they have before this body has a provision in it dealing with speculation. I would hope they would look at our speculation bill and join us. If there is something wrong with it, we are happy to take a look at any reasonable suggestion that would make it a better piece of legislation. It stands to reason this would be a chance for Democrats and Republicans to work together. So far, however, we have seen, sadly, more of the same from the Republican side: nice rhetoric, no action.

We had to file cloture again. We are now up to 83 Republican filibusters—83. As I have said before, it has gotten so there are so many of them, we now have Velcro numbers here. We can peel them off and put the number four up here. Hopefully, we will not have to do that too soon. This breaks all records ever in the history of our Congress, more than doubling the number of filibusters. We have made it clear that we are willing to work with the Republicans on compromise. Legislation is the art of compromise. We want to work together on energy legislation that both sides feel good about.

They keep talking about their drilling amendment. That has been their hue and cry for weeks now: We want to drill. We want the Governors to determine where you should drill off the coasts of their States. So we are saying we are willing to work with them. If they want to offer a drilling amendment, we will offer an alternative. Both measures would receive a vote. That is how the legislative process is supposed to work, but the latest Republican obstruction tactic has left us with no choice but to file cloture again on the speculation bill, and this chart is what that represents: 83. Otherwise, this important issue would fall off the legislative map. By forcing us to file cloture, Republicans, I believe, are wasting precious time when prompt action is necessary. So I hope in the morning we get cloture on this bill. I hope after we get cloture on the bill, the Republicans will work with us and say: OK, we want to offer our drilling amendment. That is fine. We are happy to work with them. What we have had in the past is that the rhetoric is not reality: Well, we really want to do the drilling amendment, but you are not letting us offer unlimited amendments, so we are not going to support you on anything.

The American people will certainly be waiting to see whether Republicans are willing to take yes for an answer. They have said they wanted a vote on drilling; let's see if they will take yes

for an answer and legislate on the energy crisis.

In the near future, we are going to turn to the Low-Income Home Energy Assistance Program—LIHEAP. This is one of the best programs we have ever done in Washington. It is a great program. This energy crisis is difficult. If you are a man or a woman, a mother, a father and you have a job and you have to drive to work, there are ways, as difficult as it might be, that you can alleviate some of the burdens of high gas prices. You can take public transportation, in some instances. You can carpool. There are things that can be done. If you are a soccer mom or dad, you can carpool the kids. There are things that can be done to work with this high price of gasoline: Change the time of the practices and do all kinds of things such as that.

However, if you are a senior citizen—and here we are with August fast approaching and cold weather hitting parts of our country in October—it must be stark recognizing the limitations of being able to heat your home. It is significant. If you are old and on a fixed income, this is very scary, and that is what LIHEAP is all about.

This legislation would provide immediate relief to millions of senior citizens, families with children, and the disabled, who are struggling to pay their home energy bills, a crisis that will only worsen in the winter months ahead. LIHEAP has been highly successful, but the breathtaking rise in energy prices is making the program far less able to help those in need. That is why this legislation is supported by AARP, the National Conference of State Legislatures, the Alliance for Rural America, and dozens and dozens of different farmers groups and consumer groups and other organizations.

I was approached by one of my Republican colleagues the other day who said: I hope you will bring this up. We are going to bring this up. It is a bill we should pass. I hope we don't have to jump through all the hoops, all the steps procedurally. I hope we can get this bill passed. The high price of oil and gas is making headlines. This LIHEAP legislation addresses those energy problems as well as the rising prices of propane, kerosene, natural gas, and electricity.

This legislation is important now, when high temperatures are creating health risks for the elderly and people with disabilities. It is interesting. I have been told there are more homeless dying in the summertime than the wintertime because of exposure. We talk about the cold winters—and that is very important to talk about—but for those of us who live in the West, these hot summers are very difficult. Old people need their homes cooled. So this LIHEAP legislation is important now. It is important now as we plan to prevent a major crisis that may come if gas prices do not fall significantly before winter.

We are going to introduce another package of critical bills that have been

blocked by mostly one Senator. As the Presiding Officer knows, one Senator can have tremendous power in the Senate. We are going to turn to a package of critical bills that have passed the House of Representatives, have cleared the committees in the Senate, enjoy overwhelming bipartisan support, and have been blocked by one Senator on occasion—sometimes two.

A few examples of the kinds of bills that this one individual, or a couple of his friends joining with him, have prevented us from passing and becoming law are, for example, the Emmett Till Unsolved Crimes bill. For people who lived through that era, they believe there is something that needs to be done to help heal old wounds and provide the Department of Justice and the FBI tools needed to effectively investigate and prosecute unsolved civil rights era murders.

So I say to my friends on the other side of the aisle, this is important legislation, and it should not be held up as this has been held up. This is authorizing legislation. There is no reason in the world to hold this up.

The Runaway and Homeless Youth bill would provide grants for health care, education and workforce programs and housing programs for runaways and homeless youth. Why wouldn't we pass this? It has passed the House. It has been reported out of the committee overwhelmingly.

The Combating Child Exploitation bill would provide grants to train law enforcement to use technology to track individuals who trade in child pornography.

On the Senate floor, we may not think pornography is a big issue. We should. Years ago, when I was a practicing attorney, one of my clients was Dr. O'Gorman. Dr. O'Gorman was a psychiatrist in Las Vegas. He was a prominent physician. He became president of the State Medical Society. I was preparing a contract for him. We were waiting while the secretary typed the final part of it. I said to him: Doc, what is the biggest problem people come to see you about? Remember, we are in Las Vegas more than 25 years ago. What is the biggest problem people have who come to see you? He said pornography. I was stunned. Pornography? Yes, he said, pornography. He went on in some detail to tell me how pornography ruins people's lives, breaks up marriages, and is so destructive. We have a bill dealing with grown men, mostly, who trade in child pornography. Now, shouldn't we be able to pass that legislation? It establishes an Internet Crimes Against Children Task Force within the office of Justice Programs. This is something that should be matter of fact. It is being held up. We should pass this.

I don't know how many have had the experience—I think every Senator has had a friend or a relative or a neighbor who has been struck with Lou Gehrig's disease. It is devastating. From the time this disease is discovered until

you die is about an average of 18 months. The ALS Registry bill would create a centralized database to help doctors and scientists better understand, and hopefully find a cure, for Lou Gehrig's disease. It afflicts 5,600 Americans every year.

Why is a registry important? When I first came to the Senate, I had three women come to visit me in my Las Vegas office. Those three women wanted to be someplace else, but they swallowed their pride and their embarrassment to come and visit with me. Why did they come to see me? Because all three of these women had a disease called interstitial cystitis. Ninety percent or more of the people who get this disease are women. The pain is best described as shoving slivers of glass up and down someone's bladder—excruciating pain. When these women came to see me, most all doctors thought it was psychosomatic.

Well, the first thing we did with this disease is we worked to establish within the National Institutes of Health a registry so people could gather information and have it set up so people who are physicians in one part of the country could look and see what was going on in other parts of the country and the scientists could go to work on it. Tremendous progress has been made with interstitial cystitis. Doctors can now more easily diagnosis this. There is now a medicine so that 40 percent of the people who have this disease have no pain—they are symptom-free.

One of the people who worked hard on this with us was a woman who was a professional golfer. To show you how difficult this disease is, this was a professional golfer who had been a great athlete her whole life. She was stricken with this disease before she was 30 years old. For her to try to complete a round of golf, she would have to go to the bathroom 25 or 30 times during 18 holes of golf. Well, she is one of the lucky people. The medicine helped her. She went on to win a number of tournaments. She is a success story. So why shouldn't we be able to start with Lou Gehrig's disease, as we did with this dread disease, interstitial cystitis, which now people clearly recognize is not psychosomatic.

Another piece of legislation in this package is the Christopher and Dana Reeve Paralysis Act. We all know "Superman" was in a horse accident and was paralyzed. This legislation would enhance the cooperation of research, rehabilitation, and quality of life for people who suffer from paralysis. Not only would this bill accelerate the discovery of better treatments and cures, but it would help improve the daily lives of 2 million Americans who are awaiting a cure.

So I would hope that we, moving forward on this legislation, will get support from colleagues on this side of the aisle. We should not have one or two Senators stop everything from moving forward. People say: Well, why don't you do something about it? Madam

President, this is why we don't do anything about it: 83 filibusters. As to each one of these, when we finish and get the vote on a motion to proceed, it takes 30 hours; once we get on the bill and file cloture again, into cloture invocation, another 30 hours. We can't do this. We have about 40 bills in this package, every one of them similar to the 5 I have mentioned.

So I hope people will work with me so we can give the American people some recognition that the Senate isn't going to be a graveyard for important pieces of legislation. Emmett Till, runaway homeless youth, pornography, Lou Gehrig registry, and the Christopher and Dana Reeve Paralysis Act.

I think the Republicans are going to have a choice. They can join the side of the American people or they can continue to stand beside a colleague intent on blocking virtually everything.

I hope we can work together as Democrats and Republicans to make this a week of progress, so the American people can recognize we are trying to do something to alleviate some of the problems facing this country. There are a lot of them.

RESERVATION OF LEADER TIME

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

STOP EXCESSIVE ENERGY SPECULATION ACT OF 2008—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration to the motion to proceed to S. 3268, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to the bill (S. 3268) to amend the Commodity Exchange Act to prevent excessive price speculation with respect to energy commodities, and for other purposes.

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

Mr. BOND. Madam President, following up on the comments made by the majority leader, the American public is suffering record pain at the pump. Missourians are struggling with higher gas prices. They have said in poignant and perceptive letters to me that they are hurting.

Carol Shoener, in Braymer, MO, northeast of Kansas City, wrote my office asking that the Senate take action swiftly to stop rising fuel prices. She has to drive 25 to 30 miles to the nearest town with a hospital, dentist or pharmacy.

Juanita Highfill, of Bolivar, in southwest Missouri, is retired on a fixed income. She writes that the cost of gasoline is a real hardship for her family. Her son, a kidney transplant recipient with few job skills and limited ability, drives 30 miles one way to work a minimum wage job. His net monthly in-

come is under \$400, with gas taking \$250 of that, leaving him with \$150 per month for his life's expenses.

Anthony Meis, of Pacific, MO, west of St. Louis, is on a fixed income too. He follows the markets and knows that "once we pump more oil in our country, the speculators . . . won't have the same leverage of driving up oil prices."

It is time we get real about gas prices. The Democratic leader pointed out that there are areas where there is tremendous suffering across the country. Maybe it is time he realized we need to take some substantive, comprehensive approaches to the gas price problem. No more of these show activities, these empty promises, these peripheral issues. Let us hope he meant it when he said he would allow us to debate the issues and offer amendments. That is the problem.

The majority leader has been acting as a Rules Committee such as the House has, which says we can only vote on the things he wants us to vote on. He is going to try to cram a package down our throats with a whole bunch of bills—and many are good ones—without having an opportunity to vote. I want cloture and I want to talk about an energy bill. I want to vote on it and have people go on the record and show whether they are for dealing with this crisis—the gas prices and oil prices and a whole range of energy prices.

No more saying, no, we can't, to real action on gas prices. No more saying, no, we can't, to providing American families the relief they need. No more saying, no, we can't, to going after every option available, including increasing production.

We must say, yes, we can, to real action on gas prices. Any plan that has a real chance of lowering gas prices must say, yes, we can, to increasing production; yes, we can, to increasing conservation; and, yes, we can, to addressing speculation.

We Republicans have a plan that says, yes, we can, to each of these ways to increase production, increase conservation, and address speculation.

I hope the other side will join us to allow our plan for real gas price relief to go forward. I hope we don't get shut out. I hope the majority leader doesn't fill the tree, as he has in the past. I hope they will let us act on these important measures.

I hope the Members blocking real relief for the American people finally listen to what we are hearing from home. I hear it every day from constituents back home. Farmers, truckers, and families are all suffering from gas price increases. Families from the cities to the suburbs to our rural areas are all cutting their budgets to pay higher gas prices.

At stake are good jobs in places far from affordable hospitals, the ability to live near good schools and the ability to share in the American dream. All of these need affordable energy solutions.

Why are we refusing to help families any way we can? We are tired of hear-

ing the other side of the aisle tell suffering families: No, we can't.

Farmers—the great symbol of American bounty—are suffering. They provide for us. Why are we refusing to provide for them? They need affordable fuel to run their farm equipment, store their harvest, and ship their goods to market.

One of the biggest costs of food is that of transportation. Why are we telling those who produce our food, package it, ship it—why are we telling them, no, we can't help them with their energy costs?

Truckers across the country are suffering. Many trucking companies are small businesses. They are laying off workers and some are going bankrupt. Why are we telling struggling truckers, no, we can't?

The American people understand what is going on. They are smart enough to know that if you don't have enough of something, you go out and get more of it. It is economics 101. If prices are too high, it is because there is not enough supply and too much demand. Yet the leadership on the other side of the aisle, and the Democratic Party, have done everything they can to prevent more production of the bountiful gas and oil resources we have in our country. Of course, there was the 1995 veto by President Clinton of the Republican authorization to open drilling in ANWR. He said it would take 10 years to produce oil. Well, 10 years was probably longer than it would have taken, but that time has long past. We are missing out on a million barrels of oil a day that would have come from ANWR.

The Republicans have a plan. Our Gas Price Reduction Act takes real action on oil supplies. Right now, there are, at a minimum, 18 billion barrels of oil waiting for us off our Atlantic and Pacific coasts. That is 10 years of supply we are blocking from ourselves, stopping ourselves from producing.

The Gas Price Reduction Act will open these offshore areas and allow us to put the American oil to use for Americans.

For those who say it would take years to get, they ignore the immediate price-lowering effect of the news of new supplies. It happened last week. After the President announced suspension of the Presidential moratorium on offshore drilling, prices are down \$16 a barrel. It is now up to us in Congress to get off our duffs and do the same thing and bring immediate, long-term, lasting relief to American families and farmers. When Congress finally gets its act together and gives the go-ahead, we can see new wells being brought on, some in relatively short periods of time.

For those States concerned with opening drilling off their shores, our plan would allow States to opt out. If California doesn't want to participate, that is fine. But that should not block States such as Virginia and Alaska, where they want to drill.

For those concerned about the environment, as we all should be, the modern oil drilling technology the United States requires is so much more environmentally safe now than decades ago; it is so much safer than that which other countries require, and our environmental concerns can best be satisfied by allowing American production to go forward.

The terrible tragedy of Hurricane Katrina at least proved that modern offshore drilling is environmentally safe.

That hurricane blew over thousands of oil rigs in the Gulf of Mexico, with scarcely a drop or a bucket spilled.

Some say we need to use the oil leases we have before we can issue new leases. Well, welcome to the party, folks. That already is a requirement placed on current leaseholders. If the oil companies do not produce from a lease in 10 years—or even less in some leases—then that lease goes back to the United States and somebody else can try it. Many of the people making that argument lack a basic understanding of the lease program. There is a reason they call it exploration, because a lease is no guarantee that oil is actually present. You have to go out and use technology to find out if there is a good chance—drill a prospecting hole, after getting permits, to see if there is oil there.

A lot of leases have no foreseeable production on them. Some would call them goat pastures because they are good for pasturing goats, not producing oil.

Some claim their plans offer new supplies of oil. But they are only offering false hopes and half measures. Excuse me, I misspoke in calling them half measures. Half measures gives them far too much credit.

One Democratic plan is to raid the Strategic Petroleum Reserve and divert 10 percent of its volume to consumers. Putting aside that the reserve is only for national emergencies, such as times of war, and there are great dangers where we might need that oil, their plan would provide us exactly 3½ days' worth of oil, and then we would have no reserve for extreme emergencies.

The Republican Gas Price Reduction Act would provide struggling American families and workers the equivalent of 10 years of new oil supply versus a 3½-day supply. That is the most substantive production idea I have heard from the Democrats.

The facts are clear. The Gas Price Reduction Act is the only plan that will lower gas prices with real amounts of new oil supplies. Of course, there is much we can and we must do to use less oil and increase conservation.

The Gas Price Reduction Act includes incentives to foster domestic manufacturing supply base for hybrid vehicle batteries. I am particularly proud of the leadership role Missouri is playing in advanced vehicles and batteries.

We make hybrid cars and trucks at Ford and GM in Kansas City. We also have world leaders in advanced batteries in Kansas City. We know more cars and trucks partially running on electric power would save more oil. We would conserve more.

Kansas City autoworkers know the good pay such manufacturing jobs would bring. These families know the health care and retirement benefits those jobs bring. I wish to see us create more good-paying, middle-class-supporting manufacturing jobs making advanced batteries in the United States.

Right now, most all of the advanced batteries that go into hybrid cars and trucks are made in Japan, China, and Korea. With Asia controlling the battery market, supplies are tight and prices are high. The availability is not always there.

As we know, when prices are high, we need to increase the supply to meet demand. That goes for batteries as well as oil and gas.

The Gas Price Reduction Act provides new financial incentives to increase the U.S. domestic manufacturing supply base for hybrid vehicle batteries.

Mass producing hybrid vehicle batteries in the United States will get battery prices down, provide jobs for U.S. manufacturing workers, and reduce the demand for oil, helping us to conserve more and use less.

We should also address excess speculation, and the Gas Price Reduction Act does that. While a lack of new oil supplies is the biggest reason for high prices, we should make sure speculators are not distorting or abusing the markets.

When you look at the price of oil and the prospect of it going up, is it any wonder retirement funds are investing in long-term oil futures? CalPERS, the California Public Employees Retirement System, has invested billions of dollars for their public employees in a bet that over the long term, \$145 oil would go to \$200 to \$250. Other public employee retirement systems are making similar investment decisions. We need to increase supply so they will not do it.

Our farmers and commodity traders need buyers and sellers to make the market work. But we should never allow purely financial interests to abuse the market and make people suffer.

The Gas Price Reduction Act addresses potential speculation problems by putting more commodity cops on the beat to make sure our rules are respected.

We can also consider how to close loopholes that have sprung up to escape trading rules as markets have become ever more sophisticated and complicated.

Most important, anything we do must not make things worse. So foremost on my mind will be protecting farmers, producers, and consumers who depend on commodity markets. Air-

lines depend upon being able to get future supplies.

They have to be able to go after futures and not have them driven up by the expectation that there will be no more production out of the United States.

It is time for us to say, yes, we can to real action to lower gas prices. The Gas Price Reduction Act says, yes, we can to new production, increased conservation, addressing speculation. The American people deserve this real relief. I urge its immediate adoption.

I hope the Democratic leader will make good on his promise to give us the opportunity to have everybody vote on issues that will make a real difference; no more playing Rules Committee, no more saying I don't want this amendment or I am going to fill up the tree or I am only going to let you offer amendments I like.

Let us debate it. Let us have votes to see who is real about getting gas prices down and who wants to go through a show of motion to pretend they are doing it and hope to fool voters.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. CARDIN). The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, I ask unanimous consent to speak as in morning business for 10 minutes.

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

EMMETT TILL BILL

Mr. COBURN. Mr. President, I listened very carefully to the majority's leader remarks on the 83 supposed filibusters. I take great issue with that point. The process of filing cloture when a bill is filed and then filing cloture on the actual bill 30 hours thereafter has taken away from the Senate tradition. At 5:15 tonight, I have an hour reserved to go through and talk about many of these issues.

I wanted to take issue with the Emmett Till bill the majority leader mentioned. I actually support us spending money for that bill. What I don't support, and I don't think most Americans support, is the over \$100 million worth of waste every year in the Justice Department that has been documented by the Congressional Research Service, the Congressional Budget Office, as well as the Government Accountability Office.

The majority leader voted against an amendment when this bill was part of another bill less than a year and a half ago to take \$1.36 million out of waste in the Justice Department to pay for the Emmett Till bill. I met with Mr. Alvin Sykes. He is a hero of mine in terms of his fastidiousness and his commitment to accomplish a goal. And he is right.

But the overall point is: Will we continue to grow the Government at the same time we have tremendous waste within the Government? The issue we are going to have over the majority leader's growth-in-Government, spend-

more-money bill is about whether we will do the same thing that families have to do, which is make tough choices and prioritize.

It is easy to find \$1.36 million in the Justice Department of all the waste that is there. However, we refuse to do that. The majority leader refuses to do that. He refuses to get rid of programs that are not working and instead adds more programs.

This is a good program. I am totally for the intent of this legislation. What I am not for is sacrificing the future of America's children by us not doing our job, by us not making the hard choices and eliminating waste, eliminating duplication, eliminating fraud, and pass another authorization bill that will be spent when we have that kind of waste.

So the point is not whether we should go after civil rights violations from the fifties and sixties. The point is will we do what the American people expect us to do?

The majority leader claims this is a 99-to-1 issue. It is not. The real issue is that 91 percent of the American people don't have confidence in what we are doing. We ought to be a lot more worried about that, when we do not do what is expected of us—eliminate waste, eliminate fraud, eliminate abuse—and instead pass billions of dollars in more legislation.

I will spend some time at 5:15 p.m. delineating the potential bill the majority leader is going to bring up on bills on which I and 56 other Senators have holds. But it is inaccurate and undeniably in error to say I am opposed to the Emmett Till Justice Act. I am not. I am for it. I just believe we ought to do two good things instead of one good thing and one bad thing.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I ask unanimous consent that at the conclusion of my remarks, the Senator from New Mexico be recognized.

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

Mr. KYL. Mr. President, I wish to go back to the discussion about the subject we want to devote a lot of attention to this week, and that is gas prices. Senator BOND spoke to that issue a little earlier. We are going to be going to that issue tomorrow. It is critical that we address this problem before the August recess in a couple of weeks.

Forty-four Republicans have cosponsored the Gas Price Reduction Act, about which Senator BOND spoke. It is a balanced approach to our energy crisis. It recognizes the need for additional production, as well as dealing with the demand side. In other words, use less, find more, and to do so here at home, to use American energy to solve this American crisis. That way we can have more control over our own destiny, a point I will be making in a moment.

The other side, though, has decided to approach this problem with a very

narrow and limited approach dealing with so-called speculators. Speculators are people who trade in crude oil. There is a view that speculators actually affect the price when they buy it or sell it.

The first point I wish to make is the opposition always talks about driving up the price when speculators buy, but they never bother to mention that every time you buy, somebody else sells. So it is a little hard to see how speculators are responsible only for the increase. As a matter of fact, last week was the largest drop in oil prices ever in our history, at least in the last couple of decades, over \$20. I don't think anybody blamed the speculators for the decline, or maybe I should say they didn't cheer the speculators for the decline or drop in oil prices. So it is a little odd every time the price goes up, it is the speculators' fault, but when the price goes down, well, maybe that is the market forces taking control. The reality is that for every purchase, you have to have someone who is selling.

I did think it was interesting that the majority leader was here earlier and he actually attributed that decline to the fact that we were talking about legislation dealing with speculators. I see no evidence to support that claim and, in fact, I will cite some evidence quite to the contrary in a moment. But it reminds me of a great fable writer by the name of Stephen Leacock who tells the story about the two fleas on the back of the Roman chariot. They look back and say: My, what a fine cloud of dust we are creating. It seems to me that is pretty similar to contending this speculation bill caused the drop in prices. I think we all know what it was. When President Bush announced the end of the Executive moratorium on drilling, that is when the prices went down. As a matter of fact, Joseph Trevisani, who is the chief market analyst for a company called FX Solutions, said a few days ago:

President Bush lifted the executive ban on offshore drilling on Monday and by Friday crude prices had completed their sharpest fall in percentage terms since 2004.

He went on to say:

Oil traders are betting that this Congressional ban on drilling which covers 85 percent of U.S. Continental waters will not stand.

That is the point. When we start seriously talking about eliminating the ban on production, that is when prices will go down. Why is that? Speculators are actually very smart researchers who are trying to figure out whether demand will exceed supply or supply will exceed demand some time in the future—16 months out, 18 months, 2 years, 5 years, whatever it might be. They do a lot of research to try to figure this out. It doesn't take a genius to figure out that if you have a legal ban on more production and you lift that ban, obviously you are going to potentially produce a lot more crude oil. That increase in supply will obviously affect the price because it will then ex-

ceed the demand or at least it will keep pace with demand. That is simple market economics. That is what happened last week. It illustrates the fact that while there are those who say if we increase our production, it is going to take 3 to 7 years before we will see any of that production, the mere fact that we are getting serious about doing it was enough to reduce prices. I suspect if we actually pass a law that does it, the prices will decline even further and will continue to decline as progress is made toward increased production.

The reality is that prices rise and fall depending on a lot of events that are outside our control, and we need to bring more of those decisions within our control. There is a hurricane in the gulf. Iran is rattling its sword in the Middle East. Those kinds of things cause the prices to go up because there is a suggestion that the supply may be interrupted in the future. Then by the same token, we react to good news, as occurred last week. When the President says we are going to remove the moratorium that by Executive order has been placed on production and Congress says we are considering legislation to remove the congressional moratoria as well, speculators react to that as well.

The other side, which says it is all the speculators who are to blame for the rising prices, might as well blame the weatherman for bad weather. His job is to do the research and predict what the weather is going to be. Muzzling him and saying he cannot talk about the weather is not going to create sunny days next week. Those days are going to come because of weather factors, not because the expert in the field is predicting it one way or the other. It is the same thing with these so-called speculators who are in the business of buying, whether it is for an airline or a pension fund or for whom-ever. Their job is to try to determine what the market price should be at any given time.

I talked about trying to gain more control of it ourselves. Unfortunately, there are a lot of producers in the world that have an interest in increasing the price of oil and have the means of doing so by simply acting badly. I am speaking of countries such as Russia, Iran, and Venezuela. In Iran, we know they have rattled their sword in the past, and that not only advances their national policy goals, but it also has a tendency to cause panic in the market and, therefore, the prices go up because there is a view there may not be an adequate supply for the demand we have.

For example, I note the fact that all of the oil through the gulf—it is not just Iranian oil; it is from the Emirates, Saudi Arabia, Iraq, and other countries. About two-fifths of all globally traded oil goes through the Strait of Hormuz, and Iran is on one side of the Strait of Hormuz. They have their ships in the area. At one time or another they have tried to interfere with

the shipping traffic lanes through the Strait of Hormuz.

For example, in June 2006, the threat of Iran obtaining a nuclear weapon created quite a stir among New York traders, and that drove the price of oil up to nearly \$80 a barrel. In 2007, five armed Iranian boats approached three U.S. Navy warships in international waters, taking aggressive actions. The Pentagon described it as "reckless and dangerous." The incident only lasted about 20 minutes. As a result, there was a brief spike in oil prices as soon as that was reported on CNN.

The reality is that a country such as Iran can have an effect on the price of oil. What we need to do is get away from that kind of situation. The same thing is true of Russia. I talked about this the other day. Russia has a tendency when it wants—by the way, it is the second largest producer ahead of Saudi Arabia—when it wants to affect the price of oil or national policy, it can cut off the supply of oil or natural gas, and that can result not only in shivers running through the countries of Europe, particularly Eastern Europe which relies on this natural gas and oil, but also affects the world price.

I note that Gazprom, which is Russia's natural gas monopoly, controls a lot of other things as well. Its former chairman is Dmitry Medvedev, the new President of Russia. It alone accounts for 25 percent of the country's tax revenues. So this is a major deal.

Russia has used Gazprom as a political tool in more than one situation when it affected Ukraine after that nation allegedly failed to pay debts to Russia, or other European countries, such as the Czech Republic when it said it would cooperate with the United States in missile defense.

Let me conclude with Venezuela. President Chavez of Venezuela has repeatedly threatened to cut off oil from that country. A 2006 GAO report stated this cutoff could amount to increased oil prices of \$11 per barrel and would cut American GDP by \$23 billion.

The point here is that the United States needs to gain more control over its own destiny. We are the third largest producer in the world. We have vast resources of natural gas and crude oil, as well as other resources, such as coal, uranium, and others, but we have an aversion to produce in this country because of the not-in-my-back-yard problem associated with wherever that production might be. As a result, Republicans have proposed legislation that would remove the moratoria that currently preclude production and provide incentives to States to permit offshore. Even though it is far off of their State limits, in Federal waters, it would at least provide an incentive for them to agree to production offshore, thus enhancing American production and more control over our own destiny.

That is the point I want to conclude with. It is time to gain control of our own destiny. It will enable us to affect the prices ourselves by producing more and, thus, reducing prices, not relying so much upon other countries, which

can adversely affect the price by withholding production or creating conflict in the world. It will enable us to develop the resources safely in an environmental way, because we know how to do that. We know we can't conserve our way out of the problem. We know the so-called renewables can only meet a small fraction of our needs. And we further know that regulating speculators is not going to produce one additional drop of oil. So that is why Republicans have focused on more energy production—American energy for American consumers—as a way to become less energy dependent and affect the price in a meaningful way, a way which could permit us, as we saw last week, to drastically reduce the price of oil almost overnight if Congress were to pass this legislation.

I urge my colleagues, when we take this matter up, as Senator BOND said, to permit a full and free debate, and amendments that we have to offer here, so at the end of the day Congress can complete our work over the next couple of weeks by passing meaningful legislation to reduce the cost of oil and, therefore, importantly for American consumers, the price we pay at the pump.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator may state his inquiry.

Mr. DOMENICI. Is the Senator from New Mexico recognized at this point?

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, I ask unanimous consent that when I have completed my remarks, the distinguished senior Senator from Illinois be recognized.

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

Mr. DOMENICI. Mr. President, tomorrow morning, the Senate will begin the process of moving to debate energy legislation—at least that is what we are told, and we hope we do in fact have a good, honest debate about energy and that we on this side, which constitutes 49 Senators out of the 100, have an opportunity to offer 1 or 2 or 3, or some reasonable number, of amendments so as to make the case for the American people that in fact we want to produce more energy; that we want to both save energy and produce more; and we have every reason to believe that can be done.

With that in mind, we open the discussion, we begin the debate that should end up in a number of days of discussion on real energy legislation. And when I say real, I think the American people have awakened to the idea that Congress should and can pass legislation that will produce more oil for the consumption of the world and America, and thus have the strong potential for dropping the price of gasoline, lowering the price of gasoline at the pump. So we are here to begin the debate, a debate on how we might lower the price of gasoline at the pump by using less and producing more.

Now, before I talk about my prepared remarks, I am going to say it is common knowledge in the oil and gas industry of America and the world that offshore—off the shores of the United States—be it California or Georgia, there exist large quantities of natural gas and crude oil, and that there are ways today to discover precisely where that oil is and to build platforms that are impregnable, onto which the apparatus is moved for the drilling of oil, and that from one such platform 10 or 12 major wells can be drilled underground—way down, many feet, in fact miles below the surface—to produce oil and gas for the American people.

As we begin this debate, it is interesting to note that it has been 26, almost 27 years that these offshore oil and gas reserves owned by the American people have been locked up in a moratorium, either congressional or Executive. We note the other day the President lifted his moratoria, wherever they were around the United States. He lifted them. So what is left is the congressionally imposed, 1 year at a time—and we have imposed it for 26 years—moratorium on using this valuable resource because we were frightened and scared about the damage it might cause, the harm that might be caused by going out and drilling in the deep waters off the coasts of our country.

We have since found out, without question—during this 27 years of getting oil elsewhere and expecting oil to be cheap—we found out during that period of time that we can indeed locate and find and drill for and produce and deliver oil and gas from the bottom, way down deep from the bottom of the coastal waters of America. Huge quantities of oil and gas can be removed, can be piped out, with no damage and no danger to anyone. That was proven with Katrina. When Katrina happened, America had a number of platforms, deep-water platforms in existence, because some parts of the offshore were open and yielded large quantities of oil and gas. None of them was disrupted. None of them was broken. None of the pipes were broken, and no environmental damage occurred from one of the most severe problems that came with Katrina and the hurricane that followed, as we all know.

Experts now tell us the price Americans are paying at the pump is the result of global oil supply and demand imbalance. Having worked as a leader on energy legislation for 36 years in the Senate, I can honestly say I have never seen a problem so big being met with proposals and proposed solutions that are so small. Again, experts tell us it is a supply and demand problem and the legislation that will be before the Senate does nothing to address supply and demand.

Americans are clamoring for more energy production at home. They know

this is a serious problem that calls for serious solutions. It has been 81 days since I introduced a bill called the American Energy Production Act of 2008. Since that time, the Senate has failed to act on adding new supply measures. Since that time the price of oil has risen by nearly 15 percent, from \$112 to \$129 per barrel, even after last week's decline.

Over that same time period, we have seen the other side offer a windfall profits tax that has been uniformly rejected by nearly all energy and economic experts across the ideological spectrum. In fact, the architect of this very concept in the Carter administration has said that "it's a terrible idea today."

On price gouging, an issue once dismissed by top economic advisers to Senator OBAMA, the other side abandoned their flirtation with this issue after confirming it was grounded in fiction and unsupported by any evidence.

Then the majority sought the authority to sue OPEC, the OPEC nations, in the Federal courts of the United States for withholding energy supplies. Perhaps the other side decided to abandon this concept when they realized how much energy supply the Congress was responsible for locking up.

Finally, the majority sought to increase taxes on the domestic energy companies, believing that increasing their business costs would somehow make it easier to compete with much larger national oil companies in their quest for global commodities. Having failed repeatedly to achieve success in increasing taxes, the other side has now decided to do so under the auspices of additional production.

I have said before on the Senate floor in much greater detail that the "use it or lose it" concept is an uninformed and ill-conceived policy that will harm all our energy security and increase our energy costs. In the midst of all these failed ideas, the majority brought a climate change bill to the floor of the Senate that was estimated to increase gas prices by as much as \$1 per gallon over the coming years and would have resulted in even greater price increases for overall energy costs.

The assertion that the majority knows how to deal with the problems of high energy costs is discredited by their continuous attempts to advance policies that will raise the prices even higher. That is how we have arrived here today. After a series of failed ideas and counterproductive policies and counterproductive policy proposals, the other side seeks to set up another smokescreen against the force of overwhelming public opinion, and Senate Republicans united to increase domestic energy production.

The other side seems content to create another politically motivated diversion from the serious problem which stares us in the face. And lo and behold, as we start this discussion, the American people have seen through it

all and they have come to the conclusion that it is time, as they put it, to drill for more oil and gas if it is ours. We have called it exploration off the shores of America, where much oil and gas has been locked up for 27 years, where we have imposed moratoria based upon our concern and our fears that should not have existed. We tied up the oil and gas that belongs to Americans, and they are saying "get on with it." No more smokescreens, no more politically motivated diversions. Let's stare this problem right in the face and get on producing more and saving more. I repeat, in all my years in the Senate I have never seen a problem so big met with a proposed solution that is so small.

But I do not come to the Senate floor simply to reject the ideas of the other side. I rise to speak today, to share with the Senate some ideas supported by facts about how we can address the serious supply and demand imbalance that confronts us. My proposed American Energy Production Act, as well as the Gas Price Reduction Act, introduced by our Republican leader, Senator MCCONNELL, would help ensure an adequate and affordable supply of energy in both the near term and the long term.

The legislation introduced by Senator MCCONNELL and by the Senator from New Mexico, myself, would allow Atlantic and Pacific States to initiate oil and gas production from the deep seas, regions that are believed to contain, at a minimum, 14 billion barrels of oil.

We know this is a minimum because we have not bothered to inventory these deep water assets for 20 or 30 years or more. We must understand that during this period of time, with new techniques, new technology, new ways of discovery and new ways of delivery, these underwater reservoirs are going to yield much more oil and gas than we ever imagined, as we looked at them with old-time techniques, 20 and 30 and 40 years old.

This legislation would reverse a congressional ban on regulations for oil shale leases—the "rules of the road" that industry must have before they will invest in significant resources. That is another asset we have which exists in three Western States. We need the rules of the road which have been locked up, again, by a moratorium imposed in the Interior appropriations bill in the dead of night, with no debate and no one to watch it. That must be removed so that giant potential for oil will be the source of investment by oil companies that seek new and innovative ways to turn that shale, which abounds in oil, into usable oil or usable diesel, which could certainly alleviate America's problems.

We also propose establishing a program of direct loans and grants to accelerate the production of advanced batteries in the United States. These are crucial to advanced vehicles such as plug-in hybrids, which promise to

reduce our Nation's consumption of oil and our greenhouse gas emissions. Thus, we will be producing more and using less because, with this battery research reaching fruition, producing batteries that give many more miles for the wheels that carry the electric cars—clearly, when we get that we will be saving oil because we will not use as much gas to service our automobile fleets.

These batteries are critical to advanced vehicles, the plug-in hybrids which we are talking about, and which hold so much promise.

I am also willing to look at ways to improve the transparency of the markets and the ability of the Commodity Futures Trading Commission to enforce its authority. The legislation introduced last month by the Republican leader would strengthen our oversight of the markets by adding more enforcement and increasing transparency. Republicans are open to working with the majority on speculation. It is time now for the majority to work with us on production. Production is a far bigger part of the solution to the American concern for ever-escalating prices of gas for automobiles and natural gas for use in various parts of our daily lives.

I look forward to an open debate. Clearly, the issues we attempt to address on the production side and on the side of saving through electric automobiles are a much bigger part of the American problem than the problem that the majority leader attempts to solve in his antispeculation bill, which a number of us have had a chance to read now and to discuss with experts. We will have more to say about it. Suffice it to say that it would certainly not be a major part of solving the energy problem for the American people. There is no question about it. All you would have to do is submit the bill to anybody who knows about commodities and about futures markets, and they will tell you that bill we are going to talk about is not calculated to do a lot of good.

As we move toward a new policy, it is important that we do so with every good intention. We want the majority leader to know we respect his approach to bringing up, through rule XIV, his bill. But we believe we are entitled to offer amendments to it—certainly not just one but enough amendments to make our case.

The Democratic leader wants to talk about speculation. We say let's also talk about production. There is no question, if you are going to talk about the problem confronting the American people, and you put up a speculation bill—that you are not even sure will work, but it is there—that those who have some real interest in increasing production deserve an opportunity to offer their amendments and to be heard.

To address this imbalance it is logical that we seek policies to increase our supply and decrease demand. I urge my colleagues on the other side to join

us in this effort and do something big for the American people because the problem is big. It is not a little problem. It is a very big problem.

I believe the next 3 or 4 days will shed some light for the American people on the issue of whether they, the American people, own the substantial quantities of oil and gas that are off our shores that in the next few years can be the subject matter of new modern techniques for drilling and gathering the oil and gas for use by the American people, thus reducing the heavy pressure put upon the world's supply of oil and natural gas.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Ms. STABENOW). The assistant majority leader.

Mr. DURBIN. Madam President, this is an interesting debate because it is really coming down to some different points of view. As both sides present their cases, I am sure the American people will listen carefully because there is hardly an issue we can discuss that hits each and every family and each and every person so personally. This is the sign that you see in front of the gas station every morning when you drive to work, every weekend when you start to fill up. This is what you face when you go to fill up that car or truck and reach into your wallet for your credit card or cash and realize this is the most you have ever paid for gasoline in your life.

This is real. This isn't some theoretical possibility that it may affect your life. This debate is about reality. So it is important that the people who are following this debate understand there are two very different points of view.

The view expressed by the Senator from New Mexico is one that I think most Republicans now espouse. It is this: if we could just drill more oil, we would have a larger supply, and it would bring down the cost. If the cost goes down, then the price of gasoline goes down and, thank goodness, we will get some relief at the gasoline pump.

It is a good theory, and it is their starting point, but it has some weaknesses. The first weakness is, if you take a look at all of the oil the United States has within its boundaries and offshore, all of this, the estimate of all the oil we could reach at any given time in the United States represents 3 percent of the world's supply of oil. Most of our oil comes from other places—Canada, Nigeria, Saudi Arabia. Our oil, U.S. oil, is 3 percent of the world's total. How much oil do we consume in the United States? We consume 25 percent of the world's production. We cannot drill our way out if we drill every drop of oil available to us anywhere, onshore and offshore. We could not meet the clear demand of the largest economy in the world.

Simply, drilling does not answer the challenge. It ignores the reality that China, India, and many other countries which, for the longest time, didn't use

as much oil as the United States, now are starting to use more—more cars, more trucks, more industry. Their demand for that same world oil supply is putting a strain on the market. There is no question about it.

The second question, obviously, is, is there a place, someplace in the United States—either onshore or offshore—where there is the answer to our prayers immediately, where we could say: For goodness sake, clear the decks, stop the regulators, get the derricks out, and let's drill. Bring out that oil and, for goodness sake, bring down the price of gasoline. Is there such a place?

The answer is no, honestly, because those who are involved in the industry tell us anytime we decide to drill on another acre of land, it is a decision which will lead to production of oil anywhere from 8 to 14 years from now—8 to 14 years. Why? They have to go in and map the land. They have to figure out where the oil might be. They have to do some testing. They have to find some equipment.

Incidentally, all the oil equipment for offshore drilling right now is in use. There is nothing like an inventory waiting to be dragged out and put in just the right spot. It is not there. It takes years to get in the queue, to bring these oil exploration operations on line. Once they are on line, production starts slowly and builds. And that is the reality that explains the 8 to 14 years.

So we do not have any oil in the United States to take care of ourselves indefinitely, and we don't have this mother lode of oil somewhere that if we could just tap it tomorrow, it is going to answer our prayers.

Then there is the third issue. The third issue is the Federal Government, which controls a lot of land within the United States and off our shores, continually offers to the oil and gas companies the opportunity to lease that land and explore it for gas and oil. If you listen to the other side, you would think we are squandering—holding back all of these oil and gas assets from oil and gas companies and daring and defying them to go forward with exploration and production. That is not the case.

President Bush and the Republicans and the oil companies want to greatly expand the available areas for drilling. But is it responsible? The Federal Government already offers tracts of land in offshore regions for oil and natural gas development. In fact, nearly 94 million acres of U.S. territory—that is a larger landmass than the size of the State of Utah—is currently under lease to the oil and gas companies who believe there is oil and gas to be found. That is twice the size of the State of Pennsylvania currently under lease.

It is not as if access has been restricted. The Government leases millions of new acres every year. An additional 4.6 million acres of Federal land was leased in 2007. The Bureau of Land Management has held 21 onshore lease

sales already this year. Last week a sale was held for nearly 63,000 acres. BLM has 18 more lease sales scheduled through this year. Offshore lease sales have proceeded at an even faster pace.

Since the beginning of 2007, the Minerals Management Service has held six lease sales for open areas off the Outer Continental Shelf in the Gulf of Mexico and in Alaska's Chukchi Sea.

How much offshore oil land has been offered? It is 115 million acres that has been offered to the oil and gas companies for a lease on which to drill. How big a territory is 115 million acres?

Most people, certainly in my State and around the country, know Interstate 80.

It starts over here in New Jersey and ends in California. If you were to take a 628-mile swath along Interstate 80 from New Jersey to California, that would represent 115 million acres. That is what we have offered to the oil and gas companies to lease; land they can look at and explore and find oil and gas and produce it.

The oil companies, that said they do not have enough land to look at for future oil and gas, have responded by saying they would like to have 12 million acres, that is the amount of seabed the oil companies put bids on, barely 10 percent of what we offered them.

In my I-80 comparison, that would take you from New Jersey to Pennsylvania, about 310 miles. Look at the big stretch they are not interested in bidding on. We hear from the Republicans: There is no place for them to turn. But when we offered them the land, they turned it down. They are not using the leased land they currently have either. This next chart shows there are 68 million acres of Federal land currently leased to the oil and gas companies. What you see is kind of a shot of the Western part of the United States. The leased land that is under production is the dark areas, the black areas.

The red areas represent leased land by the Federal Government to the oil companies that they pay for—they do not force them to take it, they pay for it, they pay an annual lease for the right for oil and gas production. The red areas represent areas they lease and are currently not exploring or producing on.

So you see the argument that there is not enough land out there for them to look at defies explanation. When we open it for bid, they will not bid on it. When they do lease it, they do not explore it and use it. Does that sound like there is a lack of supply here of land that they can turn to? That is the Republican argument.

They do argue that there is one little spot, one spot in the United States of America where they can find oil, the Arctic National Wildlife Refuge, 1.56 million acres. Now how much is there? I do not know. But I will tell you that next door to the ANWR is the National Petroleum Reserve of Alaska, which has been established specifically for oil and gas development.

There are 23 million acres of land there available. We have held four lease sales in that area since 1999. So far they have leased 3.6 million acres out of the 23 million. We are going to try to lease some more there to see if there is any interest. All this talk about Alaska being the answer to our prayers, they do not explain as well that it is 10 or 12 years away, if there is any production, and when, if it ever came in, even at the wildest estimates, it would not have any impact of more than pennies or nickels on the actual cost of oil and the price of gasoline.

I joined with Senators DODD and MENENDEZ to charge oil companies a fee for every acre they lease but do not use for production. I have heard critics on the other side say that is unfair to the oil companies. Why should they be able to tie up the land if they are not going to use it? Should not we make it available to oil companies that might explore and might produce on that land? Is that not what we need? Even the Republicans would have to agree with that argument.

When it comes to offshore drilling, I mentioned the 68 million acres. The red areas are Federal offshore land leased to oil companies which they are currently not exploring or producing on. The dark acres, they are. There is a lot of land available.

I wish to say a word about speculation too. We have offered to the Republicans the following. We have a bill, a bill which I was at least partially responsible for writing, which says we need more regulators to keep an eye on speculation when it comes to oil and its prices.

I think that is something that is eminently reasonable. This is a good indication. In the year 2000, 37 percent of the oil futures market was for speculators. These are basically investment companies, investment banks. And 63 percent represented companies that were actually hedging the price of oil, because they used oil, such as airlines.

Look how that has changed in the last 8 years. Seventy-one percent of the oil futures market is in the hands of speculators who literally never take control of the oil they are bidding on, and only 29 percent represent companies that use it for the purpose that most of us would agree it should be intended.

So we know speculation is growing when it comes to oil, and we know the transactions have gone up 600 percent in the last 8 or 10 years. The size of the agency that regulates it has not; in fact, it has declined. We want to put 100 more regulators, overseers, in this agency to keep an eye on this energy futures market to see if there is excessive speculation or even manipulation and do something about it.

The bill I introduced, and the one that is included in the Democratic plan, would increase by 100 the number of full-time employees involved in regulation. We would also put more money into computer technology so they can

follow these markets even more closely. We would have more transparency when it comes to these markets so we understand who is trading what and when, so if we see big movements in the market, our people who are keeping an eye on it can look more closely.

I think most agree we want to bring more markets into regulation, not just NYMEX in New York but the ICE exchange in London. They are agreeable to this regulation. We would also like to bring in, if we can, the over-the-counter markets, which frankly we do not even know the size of. There are companies that are involved in swaps and over-the-counter trades, done almost on a private basis with no disclosure. We do not know what is going on in these markets. I think we should.

So this kind of disclosure and transparency is part of it. We also try to make sure that as we do, in many other commodities, that we limit the size of trades. If you are involved in this futures market, because your airline needs to make certain that you are not burned by future oil prices, we want you to be able to trade. That is a so-called commercial use of the futures market, a healthy thing. Southwest Airlines has proven that. But for those in the market simply to play the game, to speculate, we think there ought to be a limit on how far they can go.

I think that may be one of the major differences between the Republican and Democratic positions. But the point I wish to make is that speculation itself is not inherently evil. Excessive speculation should be followed carefully to make sure that it is not getting out of hand. Manipulation is absolutely unacceptable.

Now, some on the other side—Senator KYL of Arizona—got up and said what is happening in futures, as a matter of fact, is give and take, supply and demand, things happen, and people try to guess whether they are going to impact the price of oil.

Well, there are a lot of experts who take a look at the future price of oil. This chart tells you that one of the Federal agencies that is involved in this, that we spend a lot of money on, has been giving its estimate since May of 2007 of what would happen to the price of oil.

Here it was starting at \$65 a barrel. They said in May of 2007, it was likely to go below \$60. Then, in July of 2007, they made a new estimate. They said: Well, it is now \$67, \$68 a barrel, it will probably be going down to \$66 a barrel, and so forth. So you can see the lines of their predictions. These are the experts hired by the Federal Government who took a look at market conditions, supply and demand, and made the flowing estimates on where the prices could go.

This red line, incidentally, reflects what happened to the prices. This is how much they missed it. They did not see that it was headed north of \$125 a barrel and did not even expect that to happen. They did not find any market

conditions that would drive it up that high. That is why some of us want to ask the question: How much of today's current price of oil and price of gasoline has to do with market speculation?

There are a lot of different points of view. Here is Secretary Bodman's point of view, June 11 of this year: The reason we are looking at these very high prices for oil is strictly supply and demand.

That is the administration's position. No surprise. Our President and Vice President come from the oil industry. The oil industry has done pretty well under their watch. The people they have appointed to the Cabinet think this is the market at work.

But there are others on the outside who see it a little differently. The New Jersey Star Ledger, January of this year: Experts, including the former head of Exxon, say financial speculation in the energy markets has grown so much over the last 30 years that it now adds 20 to 30 percent or more to the price of a barrel of oil.

And here is a specific individual, Stephen Simon, a senior vice president at ExxonMobil, testifying under oath before the House of Representatives, who said: The price of oil should be about \$50 to \$55 per barrel.

It is more than twice what it ought to be. So when we want to have more resources to look at speculation in the energy futures market, I do not think it is unreasonable. I think we can protect the legitimate commercial application of the futures market for airlines and others, those that need it, and still do our best to slow down excessive speculation and manipulation that lead to higher prices.

We have been trying to get an agreement with the Republicans about how to proceed because I think the worst thing that can occur is that we do nothing. We want to do something.

First, address speculation with the Democratic bill. We have said to Republicans: Offer your version. If you do not want to offer a bill, vote against ours if you wish. But we offer you this opportunity to put your amendment on the floor on speculation, whatever it happens to be. We will go head to head, one amendment against the other. We will have a pretty good debate, I am sure. We will have the same vote requirement for both. We will let the Senate work its will. It is a 51 to 49 Senate. It takes 60 votes to pass a measure of this complexity. Let's see what happens. I think that is fair. How can they argue? They get to write their own version of their amendment. If they do not think speculation is an issue, they do not have to offer anything.

The second thing we offered them is: Prepare the Republican approach to dealing with the energy crisis, put it in a package. You write it, we have nothing to say about it, as long as it is clearly about energy. Put yours on the table. We will put ours on the table.

Let's debate both of them. Let's vote on both of them. Let's have the same vote requirement for both of them. At the end of the day, let's see who prevails. I do not think that is unreasonable.

Now, there are some on the other side, the Senator from New Mexico mentioned earlier, who want to offer more amendments. I am not opposed to more amendments. But there is a reasonable limit to this. We would like to end this in a timely fashion, so we can actually get something done.

If there are those who want to filibuster or run out the clock on either side of the aisle, then I cannot say I am going to support that point of view. This could be worked out. It should start this week. This ought to be an issue we can resolve, at least the debate, before we leave next week. We can do it. I think if we have a meeting of the minds, and a fair approach, we can see that done in the very near future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, first, let me thank the assistant majority leader, the Senator from Illinois, for his comments. I was listening intently to his message, which I think is one that is very important for this Nation.

The Senator talked about the fact that there is a significant amount of land currently available for drilling, and for reasons that are a little bit unclear, the oil industry has decided not to drill in those areas.

He also expressed his confusion, as I do, as to why the Republicans have come forward and said: Let's talk about the energy issue, let's do something about it.

But when it comes time to vote as to whether we can proceed on a bill that is important for our energy needs, the Republicans seem to vote against that so we cannot proceed.

We had a bill before us that would have dealt with renewable energy sources and would allow us to deal with solar and wind and biomass and biodiesel. The Republicans refused to allow us to move forward on that, requiring the 60-vote threshold so we could not move forward on a major bill dealing with renewables, which is clearly an important part of an energy policy for this Nation.

We had the Consumer-First Energy Act, legislation that would have brought forward a way to deal with the immediate cost of energy. The Republicans refused to allow us to proceed, used the filibuster to block that legislation that would have dealt with issues such as the oil cartel and the anticompetitive procedures they use to control supply and price of oil or to deal with price gouging or to look at ways we could take some of our resources and put them into renewables so we have a policy for the future or to deal with oil speculators.

But, no, the Republicans used the filibuster to prevent a full debate on the

floor of this body to talk about the energy policies of this country. So I return to the floor to tell Marylanders and the people of this Nation we need to do something about this. Marylanders are hurting today. I have talked about this before on the floor.

I can take you to some homes of seniors who are making a very difficult judgment not to use air-conditioning this summer during these oppressive days, which may very well jeopardize their health, because they do not have the money to pay for their utility bills.

They are making these tough decisions today in my State and States around the Nation. I could give you examples of independent truckers who are located in Maryland who do not have the money to fill their trucks with fuel because of the high cost of gasoline.

They don't know what they are going to do, whether they will be able to stay in business. I can tell you of small business owners I have met who tell me they don't have any alternatives. They have to use their cars for business. They have to fill up the car with gasoline, and they can't afford to do it. They are using their personal credit cards, the most expensive way to borrow money, because of the high cost of gasoline. They are looking to us to do something so they can stay in business.

I could take my colleagues to families who have to make tough judgments as to whether they can fill their gas tanks with gas or buy groceries because of the high cost of gasoline.

I met with people from the nonprofit community. We had people in from Meals on Wheels, volunteers who deliver food to people who can't get out of their homes and depend upon a nonprofit in order to get meals. In these tough economic times, there is more and more demand for their services, but their volunteers can't afford to fill their tanks with gasoline. They are doing on it their own, because we are asking them to pay the extra cost of the fuel. They are having a tough time being able to carry out their nonprofit mission, which will put more pressure on governmental services.

The list goes on and on as to why we need to deal with the energy crisis now and why we should have dealt with it before but for the filibusters Republicans have used.

The Republican answer to this problem seems to be to drill. Let me take up that issue for a moment. Most recoverable offshore oil and gas is currently open to drilling. Today most of our offshore oil areas are open to drilling. According to the Minerals Management Service, 79 percent of recoverable oil is currently open to drilling and 82 percent of recoverable natural gas is currently open to drilling. According to the Department of Interior, only 21 percent of the Outer Continental Shelf is actually in production. My friend from Illinois gave the numbers: 68 million acres of the 90 million acres of the Outer Continental Shelf are not in pro-

duction today. There is plenty of area available for drilling, but the oil industry has chosen not to drill in those areas. Instead they keep on mentioning ANWR, the Arctic National Wildlife Refuge. That is a pretty sensitive environmental area. We all know that. We know the risks involved in drilling in ANWR. It would represent .6 percent of the world's supply. The National Petroleum Reserve in Alaska, which has been set aside for oil exploration, currently has available but not in production more oil reserves than are in the Arctic National Wildlife Refuge. So this isn't a point about where we have oil, we need to drill in order to get it. We have oil available. But the oil industry has chosen not to do this.

According to the Energy Information Administration, projections in the Outer Continental Shelf access case indicate that access to the Pacific, Atlantic, and eastern gulf regions would not have a significant impact on domestic crude oil or natural gas production prices before 2030.

The reason is we don't have a lot of oil in the United States. If we include all of the oil reserves, we have 3 percent of the world's reserves. We use 25 percent of the world's oil. We have 3 percent of the world's known reserves. So even if we produce at maximum capacity, we will not have a major impact on the pricing of energy.

It is for that reason I want to show this chart showing remarks from T. Boone Pickens, who said:

I have been an oilman all my life, but this is one emergency we can't drill our way out of. . . .

He goes on to point out:

. . . But if we create a new, renewable energy network, we can break our addiction to foreign oil.

If we produce every drop of oil we have in the United States, we are still going to be dependent upon foreign oil. We have to break our dependency on foreign oil. As Mr. Pickens points out, either in the short term or long term, oil is not the solution to our energy problem.

Having said that, I do believe we need to produce oil where we can. I am baffled as to why the oil industry is not using the 79 percent of currently leased area to produce more oil that would certainly be part of the solution to the energy problem. We can't drill our way out, but we certainly should produce what we can. Maybe this chart helps explain why the oil industry is not drilling where they can. The blue line represents the price of gasoline, showing when it was about \$1.50 a gallon, going up to now where it is close to \$4 a gallon. The red line represents the profits of the oil industry. It is amazing. As gasoline prices go up, oil profits go up. These are quarterly profits. So one might suspect that the oil industry is not exactly interested in bringing down the cost of gasoline. Their profits go up, as the costs go up. Maybe that helps explain some of the reason why production is not at the maximum capacity we currently could have.

Let me urge my colleagues as to what we should be doing. In the short term, we need to look at a lot of different alternatives. Again, I am for producing what we can in an environmentally sensitive way, but I urge my colleagues to consider S. 3268, the excess speculation bill. Let me try to make this clear. We are dealing with what is known as index speculation. These are speculators who never take the product. They are allocating a part of their portfolio to oil futures. It is an investment for them. It is not a commodity transaction. These are not airline companies or trucking companies that do want to buy futures in oil because they need that for their business. They are going to take the product because they need the product. These are pure speculators.

According to Michael Masters, a hedge fund manager, index speculators added to the supply equal to China's increase in demand of oil over the past 5 years. That is a dramatic amount of activity in the marketplace. It is equal to 70 percent of all the benchmark crude trading on the New York Mercantile Exchange; 70 percent is in index speculators. Just 7 years ago it was 37 percent. So we see the dramatic increase over the historic levels of commodity trading.

My friend from Illinois indicated that perhaps oil should be at \$60 a barrel. Masters says \$60 to \$75 a barrel, if Congress fixed the loophole in index speculation. Edward Krapels, an energy security analyst, says it is 50 percent of the pump price. I am not an economist. I don't know what it is. But I do know this is something we can do, and it could have an immediate impact on the price of gasoline at the pump. That is what my constituents are asking us to do. This is something we should do. We should not let speculators add to the price.

S. 3268 reins in index speculation. It provides higher margin requirements for those who speculate, more disclosure. This is common sense. Let's get this done.

If we are looking for other things we can do to help in the short term, let me encourage my colleagues on the other side of the aisle to withdraw their objections to the bill Senator SANDERS has introduced that would add resources to the LIHEAP program. That is for energy assistance for low-income families. If we are looking for who has been hurt by the energy crisis, it is low-income families throughout America. Let's do something to help them. Let's target our relief to those who have been disadvantaged as a result of what has happened to energy prices.

These are some things we can do that can have some impact in the short term. I must tell my colleagues, I hope we don't leave this debate without talking about what we need to do in the long term so we don't come back to this issue. I would hope that in the 1970s we would have learned our lesson, with long gasoline lines, and done

something for energy security in America. But we need to become energy independent. We need to become energy secure. We need to do this for national security reasons. I need not remind my colleagues that we have committed our Armed Forces because of the vulnerability of America to oil. So for national security, we need to become energy independent.

We need to become energy independent for our environment. Global climate change is real. Using less oil, fossil fuels will make us a cleaner country and will help our environment. It is something we should be doing.

We came close this year to moving forward on a global climate change bill. We should do that for the sake of our environment and our energy policy. What we have learned over the last several months is that when we don't control our energy, when we are dependent upon other countries for our energy needs; i.e., oil, overnight we can see a huge increase in the price of energy which can have a devastating impact on our economy. I don't know what the right price is for energy, but I do know if we controlled our own energy sources, our economy would make that judgment, not some country halfway around the world that decides how much oil will be available to the U.S. consumer.

For all those reasons, we need to become energy independent. One way we can do that—and we have all agreed—is to be more efficient in the use of energy. Last year we came together and increased the CAFE standards. If we had done that 10 years ago, the energy savings today from an increased CAFE standard on an annual basis would equal three times the amount of oil we could get from ANWR at maximum production. Energy efficiency works. It has to be part of our energy policy as we move forward.

Yes, we have to deal with alternative and renewable sources. We have to deal with biofuels and wind and solar. I also believe we need to have responsible use of nuclear power. I think that is an important part of an energy policy that makes us energy self-sufficient. We can do that.

We need a national commitment. We made that type of commitment, as we did before, when our national security was at stake during World War II. We can do it again. We can be equally successful.

I have an offer to my colleagues. On behalf of the people of Maryland and of the Nation, let's get together on this. This is a national priority. It should not be a partisan issue. This is an issue Americans are asking that we deal with, that we become energy independent, that we do what is responsible in the short term to help those who have been victimized by the extreme increase in energy costs. Let's work to do that. Let's take out the profits of the speculators. Let's deal with those who have been victimized and then work together to develop an energy

policy for America that will truly make us energy independent so that we can control our security, our economy, and be good international citizens on the environment. We can do all of that by working together and putting America's interests first.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Madam President, I believe under the unanimous consent, I have an hour to speak. I ask unanimous consent that I be allotted an hour to speak.

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

Mr. COBURN. I want to spend a little bit of time this evening talking about motivations, talking about a realistic assessment of where we are and then merge those two things with some of the actions that myself and others in the Senate are doing.

One of the things we all know but we do not like to talk about is the significant, unsustainable course our country is on. Numbers can be really boring, but they are not boring when you apply what is going to happen to our children and grandchildren.

This first chart I have in the Chamber shows Government spending as a percentage of GDP. It has gone higher than that at times of war in the past. But here is where we are today at 2008. We are right around 20 percent. These are not my numbers. These are Government Accountability Office—these are the Medicare and Social Security trustee numbers. If we do not start doing something about wasteful Washington spending, about reform of waste, about elimination of fraud, about duplication of programs—2 or 3 or 20 doing the same thing, none of them doing it efficiently—what is going to happen to us under our current policy is that by 2038 we are going to have 35 percent of our GDP spent by the Government.

Well, what does that really mean? What happens to us when 35 percent of everything we produce comes to the Government and the Government deals it back out? Well, what it really means is less liberty. What it really means is less freedom. Because what it does is it takes the resources of Americans out of their pockets and out of their families and transfers it to a government bureaucracy that then mandates how dollars will be spent.

These numbers are not disputable. Nobody will dispute this is the roadmap we are on. As shown on this chart, this is where we are going. What happens is, the results of that become a markedly lower standard of living for our children and grandchildren. As we look at that, we see other things that are happening to us that are very harmful. As a matter of fact, they are affecting us greatly right now.

The debt held by the public—that is debt that is exclusive of the money we have stolen from Social Security, from Federal employees' retirement funds,

from the Inland Waterways Trust Fund, and from about 60 other trust funds the Government continually steals excess money from and spends but does not recognize the debt—that is exclusive of all this. This is the debt that is out there that people have actually bought: T-bills or Treasury notes or Treasury bonds. About a third to 40 percent is now held by foreign governments.

If you think this cannot impact us as a nation, we need to think about what happened when France and England started to take the Suez Canal back from the Egyptians, and because we owned the majority of France's and England's debt, we said: If you do this, we will put your debt on the market. We will collapse your economy. So, consequently, two allies of ours did not do a very foolish thing and, through the economic power we had of owning their debt, we accomplished very powerful foreign policy objectives.

Well, the reverse of that is about to be true for our country when we have \$300 billion to \$500 billion sitting in China today, when we have \$300 billion to \$500 billion sitting in the Middle East. What would happen if they decide to dump our debt? So by being less than fiscally proper, by not being frugal, what we have done is put our foreign policy at risk by having a larger and larger percentage of our debt held by foreign sovereign governments.

As you can see by this chart, what is happening is, in 2008, we are at about 20 percent of our GDP being held by the public. But another 20 percent is internal in terms of what we have stolen. As that rises, the risk to our children, the risk to our Nation, the risk to us for an effective foreign policy—because we are now leveraged by what someone might do with our debt—starts impacting us in a tremendous way.

The other trend that is not sustainable and even more worrisome is the makeup of our GDP as a percentage of the Government, the things we really have not fixed or have not addressed. If you look at our total revenues, which are estimated to be around 20 percent, if they stay historically at that level, how much we take from the Americans—which we are not going to if we are going to maintain the programs of Medicare, Medicaid, and Social Security—but if you leave them there and then you look at the growth of Government that is mandated just on demography alone, just on the fact that the baby boomers—my age—are growing old, what we see is that Social Security rises, Medicare rises, Medicaid rises, but net interest becomes over 50 percent of everything we pay out. Notice all the other functions of Government actually decline. The things that make a difference in your life every day actually get squeezed down.

So we are on an unsustainable course. There is no question we are on an unsustainable course, and we have before us today—the majority leader spoke about introducing a bill. I want

to spend a little bit of time talking about the bill. We have not seen the bill. We are guessing what is in the bill—but a bill that is going to spend between \$25 billion and \$50 billion more, is going to create over 77 new programs, is going to grow these numbers even more.

That bill is coming about because myself and several other Senators have refused to allow those bills to go without debate on this floor and without the ability to amend them. Now, some of them are very good things we ought to be about. But we should not be about it until we are going to inculcate and act as Senators the same way every other family in this country has to act; that is, by making a decision based on priorities. If people get to take a vacation this year, they are taking that vacation because they have scrimped somewhere else to be able to afford the fuel, to be able to afford the cost. They have made a decision within their family budget that what they are doing is a priority compared to the other priorities. Well, the American public is not surprised we refuse to make priorities here. We just go on and pass bills.

Now, you will hear the argument over the next 10 days to 2 weeks, as we debate this bill, that these are just authorizations, that it is not money that is actually spent until it is appropriated. But if you go to the Web site of all of the Senators who are supporting these bills, they have already sent out press releases bragging about what they have done. They intend to spend the money.

So one of three things comes about from that. One is they plan on authorizing it and spending the money; two is they are just gaming their constituency, they are planning on passing the bill but never spending the money, which is highly unlikely, or three is they just want on the bill so they can get a positive parochial benefit and do not really care whether the money gets spent.

Well, this is one Senator who really cares whether the money gets spent. And a lot of these bills we should spend money on. But some of the bills, to pay for them, we ought to get rid of the programs in those agencies that are either duplicative of what we are doing and eliminate the ones that are not working or we ought to pay for any new programs the same way a family does. They get rid of the things they do not think are important.

But to pass somewhere between \$25 billion and \$50 billion worth of new authorizations for spending and not eliminate waste, fraud, abuse, and duplication means we think we are above the American people. Do you know what. The American people already figured that out because the latest survey on whether they think Congress is doing a good or excellent job is only 9 percent of the people in this country. And they are right; we are not. We are totally ignoring the things that every

other person in this country has to do in terms of making decisions on how they live.

The debate on this bill is going to be about priorities and choices.

Also, this bill is going to be coming at a time when the No. 1 issue facing Americans is being able to afford enough money to put gas in the car to go to work. I would put forward that we should not spend any time growing the Government in any way or authorizing any new expenditures until we have a comprehensive, totally inclusive energy policy that is going to work for this country for the next 30 years. The reason that is important is our national security is now at risk because we are energy dependent, we are energy insecure.

You heard the majority whip talk about lands that were bid on but are not drilled on. It is the Willie Sutton phenomenon. He robbed banks because that is where the money is. People drill where the oil is. If there is not a high chance of getting oil, they do not drill there.

Every available offshore rig in this country right now is either in repair or drilling. Every other working rig is either under contract or under repair or is out for contract. It would be surprising to most people where we get most of our oil drilling rigs today. Most people do not realize China produces most of them. We have lost our technologic advantage in terms of being competitive just on oil drilling rigs.

The other thing that is disappointing is, we cannot have a debate about priorities in the Senate because we hide behind the fact that this is just an authorization. But the point is, if we think it is important enough to authorize it and we think it is a priority, we ought to think it is important enough to spend the money on. In fact, everybody thinks that except when they get on the Senate floor to debate the fact that they do not want to do the hard work of getting rid of waste, of getting rid of fraud, of getting rid of abuse, of getting rid of duplication.

For most of the bills that are going to be in here, my staff and I have offered legitimate spending offsets to them. But that is foreign. That is new. We have not always done it that way.

Well, I refer to this chart and this other chart as evidence that we better start doing things a little differently. We better start deauthorizing programs that do not work. We ought to start getting rid of programs that are wasteful. We ought to start fine-tuning the programs that do work but are highly inefficient. And we ought to get rid of programs that are designed to be defrauded and abused.

The Senate is an interesting place by historical standards. By historical standards, this is supposed to be the greatest deliberative body in the world. In the 110th Congress, 890 bills have passed—890. Fifty of them have had debate. Only 50 have had debate. And for

most of those, the debate has been extremely limited and shortened through the power of the majority leader, by a technical process of filling the tree, 14 times, where no amendments were available except those of the majority leader, or by granting amendments that were only approved by him and limiting the total time of debate. Well, there is an interesting historical record that I will go through in a minute. But it lessens what our Founders intended for the Senate to be.

From 1912 to 1972, only five times in the U.S. Senate was cloture invoked. That means the decision was made by the U.S. Senate to limit debate. Our Founders believed the whole purpose of the majority of the Senate was to be the reasoned body, to stand away from emotion, to stand away from the pressured responses of an election every 2 years, and have an open and vigorous debate on every issue.

Two things happened from that. One is Members of the Senate became much better informed. The second thing that happens when we have vigorous open debate is the American people learn something about what is going on. So if we have passed 890 bills this year and 840 of them passed by this procedure called unanimous consent, you didn't hear any debate, there were no amendments offered, there was no vote taken on those bills. What a loss for the American people.

Now, granted, 72 of them were naming post offices, but what a loss, that we don't have and utilize the tools of the Senate to inform the American people about what we are working on.

There are two things that can come from that. One is, if we are doing a unanimous consent—a procedure where a bill passes and nobody raises an objection to it. It is a process where everybody says: I think this is a bill we ought to do. I think this is a bill we ought to not amend, and I don't think we should vote on it.

So there have been 840 times or 850 times in the 110th Congress when we have said we don't need to do that. So the American people have no idea what we have passed, what the import of it is, because there has been no debate. What the majority leader hopes to bring to the floor is a bill consisting of 40 bills that says: Wait a minute. There are some of us who think we ought to debate these. There are some of us who think we ought to amend these. And there are some of us who think we ought to vote; that we ought to be recorded on how we stand on an issue.

One of the things that has been put out in this debate by unelected staff members is that I have blocked the bills from coming to the Senate floor. Well, everyone in this body knows that isn't true. An individual Senator can't block a bill from coming to the Senate floor. The majority leader has the right to bring any bill to the floor any time he wants.

What the staff members are saying is we want to bring a bill, but we don't

want to debate it. We don't want to vote on it. We don't want to have it amended. We don't want the American people to know what we would rather do in secret, what we would rather pass without the American people knowing the details about our business.

So is it any wonder that only 9 percent of the American public has any significant confidence in the Congress to put forward their interests? We are going to be doing this at a time when the No. 1 issue in this country is energy security and energy prices, but we are going to put a bill on the Senate floor that grows the Government, that creates 70 new programs, and spends somewhere between \$25 billion and \$50 billion.

I would tell my colleagues that most people sitting down to their dinner table think we have our priorities messed up, and they are right. We do.

The other thing that is concerning is our Founders made the House of Representatives very much different from the Senate. The Senate was designed to make sure the rights of the minority were always ever present in terms of debate and amendment. Earlier today the majority leader said we had filibustered—my particular party had filibustered—83 times. That is an inaccurate statement.

A filibuster is when someone says: I want to continue talking and I want to continue debating and I want to continue amending—to the point where you try not to pass a bill. The difference between what the majority leader claims and actual truth is, what the minority is asking for is we would just like to be able to amend bills and not have to go to the majority leader, who has now become the "Rules chairman" of the "House," and says only with our approval can we offer an amendment to a bill. It undermines the total tradition of the Senate, but more importantly than that, it undermines truth and transparency in this country because, if you stifle debate, what you do is lose the benefit of the 100 Senators who are here who come from diverse backgrounds with vast and different experiences to have that input into the debate.

So as we become the "House of Representatives," where we don't allow amendments, where we don't allow an open amendment process—and I am not talking about political "gotcha" amendments; I am talking about real amendments to change real bills based on the facts of that bill, and I am talking about pertinent amendments—we are doing great damage to the institution of the Senate.

I have also heard some of my colleagues complain that it is somehow undemocratic for one Senator to stand against 99 Senators. I would not be living up to my oath if I acceded on conscience to do what I thought was wrong for the very people of Oklahoma who sent me here, not to represent just their interests but to pay attention to what our oath says, which is to uphold

and fulfill the Constitution of the United States. It is interesting that in that Constitution, there is a section called the Enumerated Powers Act. It is very straightforward. It is very clear in terms of what it spells out, the rules under which the Congress is to operate.

I have introduced, along with my colleague—several other colleagues in the Senate but also my colleague, JOHN SHADEGG, in the House—the Enumerated Powers Act. This act says we should fulfill article I, section 8. I wish to read that into the RECORD for a minute because I think as American families across this country and American workers and people struggle to meet either health care bills, food bills, or energy bills, the answer is that the Congress has gotten totally off course.

Here is what our Constitution says:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States. . . .

The Congress shall have the power to:

[B]orrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offenses against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia. . . .

To exercise exclusive Legislation in all Cases whatsoever, over such District. . . .

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers. . . .

The 10th amendment to the Constitution says anything that is not listed right there is exclusively and absolutely the right of the States. That is how we got here. We have abandoned what the Constitution has taught us is our responsibility.

I will tell my colleagues, my guessimate of the 40 bills that are going to be bound in this omnibus grow-the-government, spend-more-money bill, half

of those bills will violate the enumerated powers of the Constitution. Then we wonder how is it that we are bankrupting our children, how is it that we are undercutting their standard of living for the future, how is it that we have gotten to the point where we are at risk based on the loans that we have taken out to foreign sovereign governments?

What we have missed is what is not controversial to the American people, which is that we should be living within our means because they have to live within their means. This bill is about not living within our means. It is going to be about a lot of other things—a lot of which I support—but mostly the bill is going to be about not living within our means, about growing the Government, spending more money, reaching into areas that are rightly the States' requirements because we have the power to do it.

I wish to make one other point that I think in my lifetime—I am 60 years old, and I have seen a great shift in the legislative bodies in this country. That shift is this: When you take your oath to be a U.S. Senator or Congressman, you take the oath to support and defend and uphold the Constitution of these United States. Nowhere in that oath does it mention your State. What has happened as we have evolved such great power to the Federal Government, the Members of Congress have become parochial. They have decided that in their wisdom, we should be about sending stuff home. We should be about violating the enumerated powers. One is because it feels good to help people—there is no question about that—but No. 2 is it has to do with being liked and getting reelected. It has everything to do with getting reelected.

So what it has become, as opposed to what our Founders envisioned was a national legislature whose goal was long-term thinking to the benefit and the trust and the security for the Nation as a whole, it has devolved into a parochial legislature which spends half of its time trying to fix problems in individual States or communities that violate the enumerated powers listed in our own Constitution.

So we find ourselves with the following facts. If you are born today, if you are born today and end up in a nice swaddling in your mother's arms, here is what you face: Your parents are going to have to raise you, they are going to have to try to afford your college education, which is going to be impossible in 20 years. The reason it is going to be impossible is because we have, out of this red line, put \$400,000 of obligations on every child that is born in this country today and every day forward because we continue to grow the Government. We continue to violate the enumerated powers. We continue to refuse to make hard choices about priorities because someone might get upset.

The interesting thing is the American people get it. You can see that in

their level of confidence in this body. Ninety-one percent of the American people say: We don't get it. You are not working on what we want you to work on. You are not fixing the problems we think you should be fixing. It is because we are fixing what is best for the politicians, not what is best for the country.

Let me give you a few examples of what I suspect will be in this bill. You as an American can decide if you think it is a priority for us right now, knowing that we are going to have at least a \$600 billion deficit this year; we are going to borrow at least \$600 billion from the Chinese and the Middle East. That is \$2,000 for every man, woman, and child in this country.

Here is the first one. Ice age, floods, National Geographic Trail Designation Act. That has to be a priority for us right now, when Americans cannot afford gasoline to get to work. It only costs \$14.5 million over the next 5 years, but it has to be a priority for us, it has to be something that has to happen right now. Why does it have to happen? It is because somebody will look good back home, not because it is a priority for the Nation—and it is certainly not a priority for our children.

So do we need to do that now. Or do we intend to pass the bill, not fund it, and say we did something? Either one of them is dishonorable.

Next is the Star-Spangled Banner and War of 1812 Bicentennial Commission Act. That will create a commission to celebrate the bicentennial and creation of the National Anthem. I don't think there is a problem with doing that. I think we ought to recognize the 200th anniversary of that. The question is, Should we spend \$4 million doing it, when you can probably spend \$100,000 doing it? Only in Washington does it take \$4 million to have a party, to recognize a celebration. That is totally out of touch with the American taxpayers and the priorities they have to make.

How about the Captive Primate Safety Act? It will add nonhuman primates to the list of species that are prohibited from being brought into the country for commerce. That commerce has to do with the scientific integrity and discovery and the utilization of subhuman primates because they are the best way we know to test things before we test them on us. But we are going to limit that. We are only going to spend \$17 million doing that—only \$17 million.

There is \$1.5 billion for the National Capital Transportation Amendment Act. That is Metro. I think we ought to help Metro. But before we help Metro, we ought to demand some accountability and efficiency. They have gotten a billion dollars in Federal grants over the last 3, 4 years. Yet the problems that plague that institution haven't been fixed. They are not addressed in this bill. There is no accountability, no transparency. You cannot see where they are spending the

money. There is nobody held accountable for the failure of the retrofit on the old rail cars that were retrofitted and now are not working.

The other question American taxpayers ought to ask is: Why should every other taxpayer in the country pay for the rail transportation of the best paid people in the country, the Federal workforce? Should the average family who makes \$33,000 in Oklahoma pay for the transportation to work of families who average \$75,000 and are commuting on Metro? Inherently, there is something not quite right with that. Yet that will be in this package—\$1.5 billion. We don't have the money, so not only are we going to have to subsidize it now, but we are going to charge it to our kids.

I would say this bill the majority leader is going to bring up isn't going to fit with the priorities of the American people. There are some good things in it. But contrast that with the fact that we have an energy crisis, that we have families who now, compared to a year ago, are spending at least \$2,000 more for energy. I would think the only thing we ought to be working on, the only thing the American people think we ought to be working on would be solving that problem in a comprehensive way. Instead, we are not; we are going to grow that and spend more. We are not going to do long-term solutions for our energy insecurity that puts our Nation at risk in terms of our national security.

Even a cursory look at the history of the Senate shows that the majority leader's decision to construct an omnibus bill to get around true debate and true amendment objections to the broken hotline process violates the tradition of full and open debate and amendment. Following the Revolutionary War, the Founders created a system that protected the people from tyranny. The checks and balances provision was extended to the legislative branch, between the House of Representatives and the Senate. The Framers created the House of Representatives to pass legislation quickly. But the Senate was designed for the opposite purpose. It is supposed to be hard to pass a law up here because it has such a major effect on every American. It needs the cooling in the "coffee cup saucer." It needs to be thought about, debated, discussed, and it needs to be open toward the American people to where they can see it.

James Madison said:

The use of the Senate is consistent in its proceedings with more coolness, more wisdom than the popular branch of government. Its hallmark would not be the majoritism of the House, but the emphasis on the rights of individual Senators to consider and impact legislation.

Impacting legislation is offering amendments. You cannot impact it unless you have the ability to amend it. By wrapping several dozen controversial bills into one omnibus, what the majority leader is attempting to do is

override the best traditions of the Senate. But more important, it is to short-change the American people about what we are doing.

Since we have already passed 850 bills that you have no knowledge of, because they didn't have debate and amendments and they didn't have votes, why is it we should let another 40 bills come through without full debate and full amendments?

There are two examples in history on how the Senate has operated as intended as a bulwark against hasty decisions and bad policy. First was the 1805 impeachment trial of Justice Samuel Chase, and the second was the 1869 impeachment trial of President Andrew Johnson. In order for the Senate to function as intended, it took courageous Senators to stand on principle in the face of adversity. In 1804, President Thomas Jefferson won reelection by a landslide, and his party then was known as the Republican Party—it is now the Democratic Party. They ended up with overwhelming majorities in the House and Senate. Only the judicial branch remained in control of the opposition party, the Federalist Party. The President, buoyed by strong public support, sought to impeach Federalist judges on the basis of their political stances and a variety of court opinions, leading Jefferson's Republicans to target Justice Chase as one of the most outspoken judges—in other words, to intimidate the judicial branch.

With the distance of history, we can see clearly that Chase's conviction would have undermined the independence of the courts. It would have said we would not have a three-part government, each a careful balance to control the others. That would have gone out the window. In the House, Justice Chase was impeached 73 to 32. All of Jefferson's Republicans voted for it. In the Senate, votes from 23 of the 34 Senators were necessary for conviction, and 25 of those Senators were Jefferson's Republicans. Conviction seemed sure. Yet following a week-long trial in the Senate, 18 voted against conviction, while 16 voted for it. They were five votes short to remove Justice Chase.

Following the ordeal, Vice President Aaron Burr made the following observation:

The Senate is a sanctuary, a citadel of law, of order, and of liberty, and it is here in this exalted refuge—here if anywhere—will resistance be made to the storms of political frenzy and the silent arts of corruption.

I hope my colleagues will consider that last phrase, “the silent arts of corruption.” When the American people look at this body, that is precisely what many Americans see. If any process was in the category of the silent art of corruption, the secretive hotline process, where bills come through with unanimous consent, fits that definition well.

In 1869, in the trial of President Andrew Johnson, a similar matter unfolded. In the years following the Civil

War, there was severe strife between the President and Congress over the best way to handle the rejoining of the South with the Union. The Congress, dominated by Members who were determined to humble the Confederacy, was pitted against the President, who was more interested in reconciliation than revenge. After 4 years of battling with President Johnson, the House overwhelmingly voted to impeach him. Every Republican had voted for impeachment. This was a different group of Republicans—the Lincoln Republicans. In the Senate, 36 votes were required for conviction and 41 Senators were Republicans. Once again, conviction seemed sure. However, a group of seven Republicans saw between the momentary chaos and understood the consequences of impeaching Johnson. After it was revealed that the group of seven Republicans planned on voting against removal, a surge of public outrage was thrown down on the Senators. One Senator from Iowa, James Grimes, received so many physical threats that he suffered a stroke 2 days prior to the vote. Nevertheless, all 7 Senators remained resolute and voted not guilty, making the final tally 35 to 19, 1 short for conviction of impeachment.

Both these examples, dealing with impeachment and not legislation specifically, call attention to how the Senate was designed to slow down bad policy. I believe what the majority leader is doing is bad policy, in terms of combining a multitude of bills—1,700 pages of bills that very few offices know the extent of—into one bill, and trumping all minority rights, which are a sacred and central feature of the Senate that should not be violated.

Our Founders constantly warned about the tyranny of the majority. Madison called the Senate a necessary fence against the majority party, and the primary tool given to the minority was the informal principle of unlimited debate. Between 1917 and 1962, cloture—a motion to stop debate—only happened five times in this body—only five times. Eighty-three times now the majority leader has filed cloture. Why has he done that? He doesn't want the debate. He does not want the debate. Opposite the best traditions of the Senate, the majority leader has filed cloture 83 times.

One last point and I will finish. A hold on a bill is not blocking a bill from coming to the Senate floor. The rights are very clear of the majority leader. The majority leader can bring any bill to the floor anytime he wants. No Senator can stop it. So if you are holding a bill because you are saying I don't agree with a unanimous consent, which means I don't agree that we should not debate, I don't agree that we should not amend, and I don't agree that the public should not have a recorded vote on this bill, that does nothing to stop the bill from coming to the floor. What stops the bill from coming to the floor is the priorities of the majority, not the priorities of any other Senator.

Debate, full, open, honest debate is great for this country. The hotline process with unanimous consent, passing bills in secret the American people don't know about, are not informed about, are not debated in the Senate, are not voted on in the Senate, goes against the tradition of the Senate. But it also robs us of freedom because the knowledge of what we do is as important as what we do. Without that knowledge by the American people, we are not the cooling saucer of thought, debate, calmness, and reason.

The hold, which I have exercised, is the last check against the abusive hotline process. It may be that 70 or 80 Senators want to pass a bill, and that is great. Let's put it on the floor. Let's debate the bill. Let's have options to amend the bill and make people vote on commonsense items such as priorities, getting rid of waste, doing what every American has to do every day, and let's have that debate in front of the American people.

There are 76 programs that are being held currently by a number of Senators. It comes to \$70 billion of new spending. I have yet to have somebody from Oklahoma or any other State in the country tell me that with a \$700 billion deficit this year, with \$10 trillion in debt, with \$1.4 billion in new debt a day and spending \$1 million a minute in debt, that we ought to put \$70 billion more on the backs of the American families. It may be that we need to put 70, but we need to take another 70 off.

So the debate about the bill the majority leader will introduce is going to be a good debate. It will not stop the process. The rules are very clear. We will have a debate. The question will be: Will we have a debate that is open to true amendments, that is a full debate, and that will take the time to make sure every one of these 40 bills is thoroughly vetted with the American public?

The final issues I wish to talk about are some of the bills that are in here.

We reformed the National Institutes of Health last year. We said: Let's get politics out of it. Let's let peer-reviewed science tell us how we spend the money to the greatest benefit to help the greatest number of people. As soon as we passed that bill, we had five or six or seven new bills coming to tell them exactly where to spend the money because we could look good with constituencies, and yet we violated the very bill we passed that said we ought to let science guide us to make good decisions, make the priorities that are out there that help the most number of people with the greatest benefit in terms of science.

There are going to be several bills in the one bill for that. I will gladly and readily defend my opposition to those bills. One is because they do not accomplish what they say they do. And No. 2 is they hurt other people by taking away limited resources, by placing them in a category that somebody else

says is more important than what the science would say we can do best.

There is the Emmett Till unsolved civil rights bill. I agree we ought to pass that bill, but I don't think we ought to add that money to our grandkids. I think we ought to get rid of the waste, fraud, abuse, and excesses at the Department of Justice and pay for it. It is a legitimate Federal role. It fits with the enumerated powers. Those were Federal laws violated in the fifties and sixties. But to pass that bill and not get rid of wasteful programs and not get rid of waste says we are only doing half the job. It is easier doing it that way. You don't make anybody mad or upset with you. But you don't do the best thing for our children and our grandchildren, and you certainly don't do the best thing for our country.

It is interesting. I have sent two letters to the prime author of that bill. He has not had the courtesy to answer me once. He held a press conference that impugned I was a racist because I would not let that bill go through.

The fact is, the statements are: You can't work and negotiate bills. We have offered amendments to pay for the bill, with which Mr. Sykes, the main supporter of this bill, agrees. What has happened is it is take it or leave it, no debate, no amendment, no working in the Senate to the best tradition of the body.

So we have this statement made by Senator HARRY REID that you can't work with COBURN. I tell you, PEPFAR was a great bill. This Senate passed it. We were critical in terms of negotiating that bill. The Second Chance Act, which makes sure that we work against recidivism on prisoners throughout this country, we worked hard and changed that bill. On the Genetic Nondiscrimination Act, we negotiated well and got a great bill for every American so the insurance company can no longer discriminate against you if you have a genetic tendency and they cannot raise your premium. We have done a ton of things, but it is on the small bills which require people to work that we have not been able to accomplish that.

I look forward to the next 2 weeks. I look forward to the weekend. Congress is about to go on vacation. Most Americans today with gas prices cannot go on vacation. And we are going to get a debate this weekend on these 40 bills. We probably won't have done anything significant yet about energy. So we are going to be debating spending \$25 billion, \$50 billion, maybe even \$70 billion more, creating 50, 60, 70 new programs, and you are still going to be paying \$4.10 for your gasoline with no hope 10 years from now that things are going to be any different because we have our priorities wrong. We would rather look good to special interests and pass bills in the dark of night than debate them on the floor and put the priorities that should be in front of this country out there—energy, health care, Social Se-

curity reform, \$300 billion worth of waste in the Federal Government every year. Nobody is doing a thing about it. Half the agencies will not even comply with the improper payments law. We have \$3 billion a year spent at the Pentagon maintaining properties they don't want, but the Congress won't pass a true real property reform because it is held up by a homeless act, most of which none of the buildings are capable of being utilized by homeless individuals.

What I say to my colleagues is let's have a debate. Let's see the rumble in America that thinks whether we are doing the right things, the right priorities. Do they want us to go down this road where we strangle the lifeblood economically from our children, we take away their ability to own a home, we take away their ability to get a college education, or should we be about real priorities? And if we are going to spend new money, shouldn't we be about getting rid of some of the \$300 billion that is wasted every year right now?

I don't have to take a poll about that one. That is a 90-plus-percent factor with the American people. It is only in the Senate that we don't get it, that we would rather spend time growing the Government and spending more money than fixing the real problems of this Nation.

I look forward to the debate. I am excited about this weekend. My hope is we will have an open amendment process, one that does justice to the greatest traditions of the Senate but, more importantly, one that does justice to the American family and their children to come.

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

The PRESIDING OFFICER (Ms. KLOBUCHAR). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COBURN. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. COBURN. Madam President, I have in my hand the bill Senator REID just filed. There is no CBO score with this, and I object to the introduction of this bill.

The PRESIDING OFFICER. Objection is heard.

MORNING BUSINESS

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

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

HONORING OUR ARMED FORCES

SPECIALIST ESTELL "LEE" TURNER

Mr. JOHNSON. Madam President, I rise today to pay tribute to SPC Estell

"Lee" Turner and his heroic service to our country. As a member of the Army's Echo Company, 1st Battalion, 506th Infantry Regiment, 4th Brigade Combat Team, 101st Airborne Division based in Fort Campbell, KY, SPC Turner was serving in support of Operation Enduring Freedom. On July 2, 2008, he died in the National Naval Medical Center in Bethesda, MD, after being mortally wounded by an IED in Afghanistan.

Lee had already served his country for 6 years in the Army two decades earlier, having finished his military service in 1989. Yet this wasn't enough. Even though he had gone above and beyond, Lee still had the drive to be a hero. After moving to Sioux Falls in 2004, he reenlisted in the Army at the age of 39, after the Army had raised its age limit. He looked forward to being deployed to Afghanistan, his first tour in the war on terror. His wife recalls, "He never seemed worried about it, this is something he believed in. He thought it was right."

Raised in a military family, patriotism was instilled in his heart from a young age. Lee's father served in the Navy for 18 years, and his grandfather was an Army soldier who served in World War II. His younger brother John is in the Army and his wife is an Army reservist. Lee's awards and decorations include the Army Good Conduct Medal, the National Defense Service Medal, the Army Combat Action Badge, and the Purple Heart. Lee enjoyed racing and fixing cars and playing guitar. He had a fierce devotion to his family, and he will be deeply missed by those who survive him: his wife Leah, his daughter Lyda, his siblings, John and "Gucci," and his mother Gloria.

Specialist Turner gave his all for his soldiers and his country. Our Nation owes him a debt of gratitude, and the best way to honor his life is to emulate his commitment to our country. Madam President, I join with all South Dakotans in expressing my deepest sympathy to the family and friends of SPC Estell Turner. He will be missed, but his service to our Nation will never be forgotten.

STAFF SERGEANT JEREMY VROOMAN

Madam President, I also rise today to pay tribute to SSG Jeremy Vrooman and his heroic service to our country. As a member of the Army's 2nd Squadron, 2nd Stryker Cavalry Regiment, 1st Armored Division, in Vilseck, Germany, Staff Sergeant Vrooman was serving in support of Operation Iraqi Freedom. On July 15, 2008, he died in a Baghdad hospital after sustaining injuries from an improvised explosive device.

A native South Dakotan, Jeremy carried on the tradition of military service in his family when he joined the Army 9 years ago. Both of his grandfathers served and his older brother, Justin, is currently in the Army. Jeremy was proud to serve in the military and planned on making it his career.

He was on his second tour of duty in Iraq.

Jeremy enjoyed playing with his children, hunting, fishing, and mountain biking. Friends and family will miss Jeremy's laughter and infectious smile.

Sergeant Vrooman gave his all for his soldiers and his country. Our Nation owes him a debt of gratitude, and the best way to honor his life is to emulate his commitment to our country. Madam President, I join with all South Dakotans in expressing my deepest sympathy to the family and friends of Sergeant Vrooman. He will be missed, but his service to our Nation will never be forgotten.

34TH ANNIVERSARY OF TURKEY'S INVASION OF CYPRUS

Ms. MIKULSKI. Madam President, I rise to commemorate the 34th anniversary of Turkey's invasion of the island of Cyprus. Today, Cyprus remains a divided island, with a third of the territory still occupied by Turkish forces.

Over the years, numerous United Nations resolutions have called for the respect of the sovereignty and independence of the Republic of Cyprus and for an immediate end to the Turkish occupation. The Government and people of Cyprus are ready to make compromises to achieve peace and to reunify the island. We must continue to stand with them to fight for a fair and reasonable agreement—one that safeguards basic freedoms and human rights for all Cypriots.

I am proud of the partnership we have with the Republic of Cyprus. During the evacuation of Lebanon in 2006, Cyprus served as the primary transit location for some 15,000 U.S. citizens and was the launching point for humanitarian aid to the people of Lebanon. As a member of the European Union, the Government of Cyprus has worked to improve the economic viability of all its citizens and has taken important steps to integrate the Turkish-Cypriot community.

Madam President, I welcome the renewed interest in the efforts for a comprehensive and fair solution to reunify Cyprus. I urge the Government of Turkey to cooperate with the negotiations and I applaud the people of Cyprus for their steadfast commitment to securing a peaceful and prosperous future.

TRIBUTE TO POLISH FOREIGN MINISTER GEREMEK

Ms. MIKULSKI. Madam President, I rise to honor the life and legacy of Bronislaw Geremek—scholar, diplomat, and Polish patriot—who passed away on Sunday, July 13.

Bronislaw Geremek played a key role in Poland's transition from communism to democracy. The Solidarity movement is known as a labor movement. In 1980, an obscure electrician jumped over the wall of the Gdansk shipyard and took the world with him.

Yet behind these workers stood leading Polish academics and intellectuals, like Professor Geremek. The scholars became advisers to the workers. Professor Geremek was imprisoned by the Communist government during the dark days of martial law.

Professor Geremek was instrumental in the negotiations that led to the election of 1989. These elections brought the Solidarity government to power and ended Communist control of Poland. This peaceful transition was a model for other nations.

I got to know Minister Geremek during the debate on NATO Enlargement. Poland was taking the difficult steps to become a free market democracy. Yet Poland yearned to be a true partner in Europe. That meant joining the North Atlantic Treaty Organization.

The Senate had a robust debate on enlarging NATO. I argued that the new democracies would strengthen NATO and share the burden of European defense.

In the years since, Poland has shown the world why NATO membership was so important. In Kosovo, in Iraq, in Afghanistan—Poland has stood by the side of the United States and the members of NATO.

I was with Foreign Minister Geremek in Madrid—when Poland signed the articles of enlargement. I joined President Clinton in Warsaw to celebrate. It was a historic time for America and for Poland.

Bronislaw Geremek's achievements will live on in the history books. His legacy is a Poland that is democratic and free—and a true friend and ally of the United States.

IDAHOANS SPEAK OUT ON HIGH ENERGY PRICES

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

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

Thanks for your stand. I believe you have it exactly right. I sent you an e-mail a month ago with some of my thoughts, but here are a few more. I work in the distribution business. With the cost of diesel almost \$5, it is inflating the cost of all our products.

We have already had increases the when printed are the size of a phone book. We are seeing a big slow down in our business that is directly related to the cost of fuel. It has a domino effect in that our customers are cutting back because the average business and home owner does not have extra money to spend because it is all going to fuel. If it gets any higher I see it destroying our economy. There will be an ever increasing slowdown in the economy as everyone cuts back more and more. Thanks for your hard work.

DENNIS, *Meridian*

It is time the Congress and Senate quit looking for stories and do something! America needs to be independent from foreign oil and energy. We need an energy bill brought before President Bush before [a new President is elected]. Items that need addressed: domestic construction of nuclear power, clean use of coal, renewable energy resources, construction of new clean technology, oil refineries, renewed domestic production of oil, legislation that would hold those accountable for hindering achieving these goals by crying about "not in my backyard." [Such] people are a threat to our national security. Where is this legislation you claim to strongly support?

Mr. CRAPO, I am 39 years old. I have worked hard and look forward to being able to achieve a comfortable life in retirement. I am afraid that our country is going in a direction where that will be the least of my concerns. It costs me over \$5 a day to get to work, and I live less than 15 miles from work. With what those of you in Washington are currently doing, prices will only worsen. [The] negligence in previously addressing these needs has brought our nation to its current economic distress. You can't just support issues; you need to take the lead in promoting new policies.

Give me something to judge you by your actions.

ROB.

SENATOR, Nightly, I listen to a number of pundits and politicians debate the "solutions" to our energy problems. One of the more ridiculous ones is mandating people switch to higher fuel efficiency automobiles (i.e., buy a new car). As a small business owner, our health insurance premiums have just gone up (again), the minimum wage has risen, grocery costs are rising and our 401k is diminishing. The very thought of anyone in Congress telling me I have to replace my "paid for" cars, and take out a loan to buy a new (more energy efficient) car is ludicrous!! Gasoline would have to be over \$10 a gallon to make economic sense to my family, in lieu of absorbing a car payment.

I support drilling offshore and in ANWR, as well as shale oil extraction. I think it is time that the world's most technologically-advanced nation illustrate to the world the most technologically-advanced means of extracting energy. I am deeply offended that the United States government, who cannot profitably manage Amtrak, the U.S. Postal Service, or even its own Senate cafeteria, has the audacity to pretend to convince me that they know more about "safe and sound" energy extraction than the companies that are professionals in this endeavor. I hear people crying about how drilling in the U.S. might "spoil national resources"! I would be willing to wager that if we were not dependent upon Middle Eastern oil, we could have, most likely, saved about 4,000 U.S. servicemen and women's lives. That cost of natural resource is infinitely greater than a handful of caribou!

Respectfully,

DANIEL, *Boise*.

Thank you for your time. I am on Social Security and believe me, if I could work, I would. But I cannot. So, as a person who is now on the bottom half of an almost pretend income, it took more over \$800 last year for heating, not including the \$356 that is all I need for help. I personally would love to have a new pair of teeth; the ones I have are broken and pretty useless. But can I even save to get a pair of teeth? I am weighing in at 101 pounds, because all of my money goes to propane and forget about going anywhere. My gas budget only allows me to go to doctors, and then I go to the store. I worked until I got hurt. I raised four children. They all work every day, and their wives and husband. I taught my children to always be kind, helpful and to be good people. I am sick of paying money to places that have every want to kill us. What did happen to our rights, and why are you not all fighting harder. Even the money we use has been allowed to be changed. What is wrong with the people in power? I live off \$6,000 a year and have no rights. What is wrong? Thank you.

MARYLYNNA.

I am unhappy with the spin stories that the media tries to share that our prices are not comparable to those in Europe. They forget to tell everyone that the taxes on their gas prices are 1/3 to 1/2 the price per gallon. Our taxes are not unreasonable right now, but the price per gallon is. We are rural residents and must drive to work. Our income has changed radically in the past 2 years and leaves us with no money to spare for the extra gas cost. We pay our own insurance and that has just taken a 25% premium hike. My parents live in St. George, Utah, and that makes the cost of travel even more of a concern. They are 80 and 75 and presently independent of any special care needs, but the cost of heating/ac and travel will be a burden for them and the family as well. I believe in taking action on the possibilities of drilling for oil at home, nuclear energy, and coal use. I am so sick and tired of the environmental nut cases taking over our country and without logic, locking us into unrealistic laws, taxes, and restrictions that make the U.S.A. weak and unprepared for things that will leave us at the mercy of even greater issues than gas prices. I appreciate your information and concern. I hope you can bring some sense to your fellow Senators. Thank you.

SUSAN, *Reensburg*.

Thank you for your e-mail. Yes, we agree these prices are out of control. Why are we not drilling in our own country? I cannot believe the environmentalists have such control of this. There must be more to this than we hear about. Is there anything coming up before Congress to be able to start being a self-sufficient country with our energy? All these studies and research for alternative fuel are a waste of time and money. We have plenty of oil right here. We as citizens of Idaho are counting on you and our other Congressmen to get moving on this problem!!!! Please let me know what is happening on this subject and why the prices are out of control. Our dependency on other countries can sink us. Please do something!!!!!!!!!!!!

GARD and JERRIE.

In your second paragraph you parsed your comment by saying "proven American oil and gas reserves." Does that mean that you do not support further exploration for unproven or unknown reserves? Thank you.

PAT.

My husband and I are Idaho residents, and are retired with limited income because all we basically have for income is our indi-

vidual Social Security and my pension, which is small through the company I retired from—Albertson's corporate office previously in Boise.

My primary health insurance is with Medicare, and I do have a secondary retiree insurance through Blue Cross/Blue Shield of Minn. (Supervalu). Unfortunately, since Medicare pays 80%, Blue Cross will not pay the balance (it's a carved policy) until I meet the annual max of \$2,500 per year out-of-pocket. My monthly cost is \$263.90 with a \$500 deductible. To top it off, Supervalu cancelled all dental and vision coverage on retirees that I previously had with Albertson's. Fortunately, my husband is a disabled veteran with a 10% disability with diabetes, so he can get a lot of help through the VA.

We have wintered in Mesa, Arizona, for the past five years. We do have a 38-foot Class A motor home that we have travelled back and forth in, but feel because of the high gas prices, we may be forced to sell. We do still owe on it, so probably is not the best time to sell.

I am going to try to find work when I return to Mesa this fall, but I am also 69 years old, so this might be difficult.

The high gas prices are not only hurting people who have to work and maybe travel a distance like a lot of people employed in Boise that live in Meridian, Nampa, Caldwell or even Emmett or Mountain Home. I remember working with some of these people. A lot of them carpooled then, but also the retired people like me and others who have worked hard all these years looking forward to our retirement years to hopefully afford to do some travelling let alone trying to exist from month to month.

We would appreciate anything you can do to help bring down gas prices. We do drive a Honda CRV, which helps some with mileage, but we are making monthly payments on it too.

Sincerely,

AVLIN, *Boise*.

What we need to do is drop the tariffs on ethanol imports—particularly from Brazil. Our government-sponsored corn-ethanol push is a bad idea and should be halted immediately.

Sincerely,

WILL.

On a Sunday Fox News program, Senator Dorgan stated that the commodity oil speculators are the blame for the rising costs of gas. The oil industries profits were 7.45%; industrials, 8.2%; the commodity (money cultures), pensions hedge funds, Dubai and others, 80%.

On June 3, 2008, the Senate Commerce Committee held a hearing. Suggest you get a copy.

Mr. Greenberger (one of the witnesses) testified that Congress, by revising the law on December 15, 1999, is the cause of the problem. He stated that Congress can fix the problem immediately to cause oil prices to drop 25%.

As of today (June 16, 2008), Congress has not acted. [Congress must act to correct the problem; we should be able to start pumping our own oil. It is not acceptable that we cannot use our own nation's resources like ANWR.]

JON.

I think \$200 a month is very conservative. To fill most tanks, it is \$100 plus. People are not able to take vacations as they planned. People will have to stay right at home more. The only way to really help us is to drill and open up capped wells in the U.S. Yes, if we drill it will take awhile to get things to market, but we have to start some time. Had we

shut the environmentalists down ten years ago, these new wells would be producing now and in our tanks. Please don't keep putting this off. Middle east, Argentina, Mexico could cut us off any time they want. Drill our own wells, uncapped the ones that are already here. Shut down environmentalist extremists!

Thank you.

KAYE, *Idaho Falls*.

We have not taken trips to Boise or Stanley Basin to visit family on the weekends or holidays. \$100 in gas is just beyond our budget. We also have not utilized our motor home for anything except a trip to the South Hills to go tubing in over a year.

Basically, it has limited our recreation and family travel.

We also have cut back on eating out. We are waiting for our tax rebate in order to take a much-needed vacation somewhere and when we do, it will be close by, IN Idaho.

We do not drive our truck except to haul stuff to the dump.

KAYLA.

This probably does not fit your agenda, but actually gasoline prices have been a lot worse. I paid a much higher percentage of my income when I was stationed overseas. The Energy Information Administration says we were reaching much deeper into our pockets to pay for gasoline in 1980 than last year. The real difference is that today's money buys less value. So the best way the government can keep gasoline affordable is to stop creating inflation. The next thing you do is require automobile makers to deliver cars that get better mileage. USA cars need to be more competitive.

JAMES.

Drill here, drill now.

WILLIAM.

Reference the high cost of energy. I expect you to vote to release the vast reserves of oil and other energy sources held hostage under the land masses in the United States that are "protected" by environmental minorities and their monetary vote-buying policies.

The energy crisis is manipulation, when our abundant supplies are made available, supply and demand will suddenly bring prices to a livable level.

Until these changes taken place, our country and its place as a world power are threatened.

This fuel crisis has already reached a critical point as you know. Our nation cannot support itself, let alone the many countries in the world, when its people are living in a state of economic slavery.

Do the right thing and stand for the people that keep this great country free.

LYLE.

I agree with your positions on energy and believe strongly that we need to stop exporting our national wealth and financial security to the Middle East. We need to develop a strong nuclear program and provide financial incentives to consumers and businesses to select more fuel efficient options for their cars and heating needs. We also need to gradually but steadily increase a tax on gasoline that will be used for public transportation as the Europeans have done for decades. We Americans subsidize roads too heavily at the expense of other modes of transportation and our government agencies who focus on transportation do not work together. For instance, in the Wood River Valley, the planning for the highway, bus services, airport relocation and light rail connections to the airport, Twin, and Amtrak in Shoshone should be done cohesively, and

with long term (50+) year horizon rather than by separate agencies with no budget sharing possibilities.

JOAN, *Sun Valley*.

Thank you for your letter regarding the high prices of gas and oil. I absolutely agree that many things need to be done to lower the prices. You mentioned many things, but action needs to be taken now in all areas you mentioned.

My husband and I are retired so we do not need to drive as much as others, but we have very little possibility of having an increase in our income to compensate for the high gas prices. We do, however, buy things that are affected by the rising prices in everything. Please take some action and report that to us.

One thing you did not mention is the war situation in Iraq. If we need to stay for some time because the country needs us, they should be paying for our help with their oil revenues.

ELLEN.

In response to your request for the Idaho experience re gasoline prices: My wife and I are recently retired as state of Idaho employees. As such, our income is now set and we no longer can anticipate even the miniscule raises sometimes provided by the state. As retirees we are certainly not unique in that regard, but we share with other retirees the inability to absorb the rapid and unjustified escalation of energy costs. We are fortunate to enjoy a comfortable home, although still with a mortgage. Because of the unjustified escalation of gasoline prices, we now find ourselves limiting our trips from home for shopping, medical appointments, visiting family, and just getting out of the house, to no more than twice a week. Those trips are carefully planned to incorporate as many needs as possible. Trips from home are now made for necessity. No longer do we enjoy the freedom to hop in the car for a "frivolous" jaunt. We now frequently forego fresh produce because of increased prices ostensibly the result of higher transportation costs. We purchase store brands in lieu of name brands. Dining out is now a true luxury and even then we often will order one meal and split it between ourselves. Clothes are sparingly purchased at store sales, and even thrift outlets.

As said above, we realize we are not unique in our circumstance. We understand that there is a seemingly acceptable inflationary scheme. But the inaction by Congress to adopt a meaningful energy policy requires this nation to rely on our enemies for our energy needs. It has also allowed the greed of commodity speculation to exacerbate an inordinate rise in prices to such an extent that even the Saudi's question its validity.

We categorically support a meaningful energy policy . . . one which eliminates detrimental environmental restrictions . . . realistic conservation . . . using our own oil reserves (ANWR, shale, offshore drilling), nuclear, wind, solar power . . . and build some refineries. Equally important, identify [those who are preventing commonsense policies from being undertaken]. It is time that those we have sent to Washington, D.C. do what they have been elected to do. Too many of us feel that this is not happening now and has not happened for far too long. Please share these comments with the rest of the Idaho delegation. Thanks for the opportunity to express our thoughts.

FRED and SANDY, *Meridian*.

ADDITIONAL STATEMENTS

TRIBUTE TO CAPTAIN CATHERINE A. WILSON

• Mr. INOUE. Madam President, I would like to recognize a great American and true military heroine who has honorably served our country for over 29 years in the U.S. Navy Nurse Corps: CAPT Catherine A. Wilson.

In May, 2006, Captain Wilson assumed command of Naval Hospital Bremerton. Prior to reporting, she completed a successful tour as the commanding officer of Expeditionary Medical Facility, Kuwait. Her command included the U.S. military hospital and nine troop medical clinics located throughout the country. Prior to deploying, she served as the executive officer, Naval Hospital Camp Pendleton where she also commanded the fleet hospital.

Captain Wilson's past assignments included the Naval Medical Center Portsmouth where she was the Director of Fleet and Family Medicine. This Directorate was staffed by over 2,600 personnel and covered six service lines—family care, women and children's health, adult medical care, preventive care and wellness, emergent and urgent care, and behavioral care, plus nine branch medical clinics.

Captain Wilson served as the Deputy Director of the TRICARE Mid-Atlantic Region Lead Agent Office where she had direct impact on all military and civilian health care for over a million beneficiaries in Virginia and North Carolina. Her responsibilities included the administration of a \$3.1 billion managed care support contract.

In 1999, she was selected as a congressional detailee to my office, where she advised me on all health-related issues. Captain Wilson was a staff assistant for the Senate Appropriations Committee, Subcommittee for Defense, as well as the Labor, Health, and Human Services and Education Committee. Prior to working on Capitol Hill, she served as the Director of Regional Operations for TRICARE Mid-Atlantic.

Captain Wilson also worked at the Pentagon as the staff of the Assistant Secretary of Defense, Health Affairs. During this tour, she was the Deputy Director for Force Management, Senior Policy Analyst for TRICARE Operations Policy, and ultimately served as the chief of staff for the Deputy Assistant Secretary of Defense, health affairs, for Health Services Operations and Readiness. At that time, the MHS was a \$15.5 billion system, the Nation's second largest, and included the integrated delivery of health care to more than 8.2 million DOD beneficiaries worldwide. Captain Wilson's other executive management positions include a 4-year tour at the Bureau of Medicine and Surgery as the Deputy of Enlisted Force Management and the Navy Surgeon General's representative for HIV and AIDS prevention education. Her duty assignments include the Naval Hospital Guantanamo Bay, Cuba;

Naval Hospital Philadelphia; and the National Naval Medical Center, Bethesda, MD.

Captain Wilson's military awards include the Defense Meritorious Service Medal, third award, Navy Meritorious Service Medal, fourth award, Navy Commendation Medal, Navy Military Unit Commendation, second award, Overseas Service Ribbon, the National Defense Service Medal, second award, and the Global War on Terrorism Expeditionary Medal. She is entitled to wear the Office of the Secretary of Defense identification badge and is the recipient of the Uniformed Services University of the Health Sciences, USUHS, Meritorious Service Award.

Captain Wilson's educational background includes a bachelor of science degree in nursing, a master of science degree in trauma/critical care nursing with a minor in education, and a master of science degree in human resources management and health policy. She is also certified in managed care by the Academy of Healthcare Management and earned a certificate in legislative studies from Georgetown University. She is married to Don D. Wilson, CAPT, MSC, USN (Ret.) and has two children and two grandchildren.

Captain Wilson is a meritorious leader, administrator, clinician, educator, and mentor. Throughout her career she has served with valor and profoundly impacted the entire Navy Medical Department. Her performance reflects exceptionally on herself, the U.S. Navy, the Department of Defense, and the United States of America. I extend my deepest appreciation to CAPT Catherine A. Wilson on behalf of a grateful nation for her more than 29 years of dedicated military service.●

50TH ANNIVERSARY OF THE ISLE ROYALE WOLF/MOOSE STUDY

• Mr. LEVIN. Madam President, I would like to take this opportunity to recognize the 50th anniversary of the initiation of the Isle Royale Wolf/Moose research study, the longest running predator-prey study in the world. Scientific research has both enlightened and educated us, reshaping our lives in many profound ways. Continuing to critically study our environment and our impact on it is integral to our prosperity and survival as a nation and planet and will help to ensure future generations inherit a healthy world in which to live and thrive.

The remote Isle Royale National Park, located in the upper northwest corner of Lake Superior, serves as an "island laboratory" for scientists to study the interactions of the gray wolf and its primary prey, the moose. Mr. Durward Allen of Purdue University founded this effort in 1958 as a result of his desire to conduct research on an island "where the animals you are counting and studying do not wander away." Today, Mr. Allen's project is led by Mr. Rolf Peterson and Mr. John

Vucetich, both distinguished researchers affiliated with Michigan Technological University's School of Forest Resources and Environmental Science. In partnership with the National Park Service, Michigan Technological University, and the volunteer efforts of Earthwatch, among many other contributors, this project has provided a wealth of information and has contributed in many important ways to our understanding of the interaction within and between these two species.

Today, scientists enjoy a deeper understanding of the complexities that exist within the gray wolf and moose populations that survive on Isle Royale. Through the depth and breadth of the research compiled through this study, we are better aware of the intricate nature of wolf pack leadership, social structure, and territorial interaction. We have also learned how parasites the size of a pinhead, en masse, can mortally wound an adult 900-pound moose.

I was fortunate to visit with Mr. Peterson during a trip to Isle Royale National Park in July of 2003. I left thoroughly impressed by the dedication and hard work of those involved with this study and was fascinated to learn about some of the information they have uncovered. I am certain that their efforts have enabled us to better understand the gray wolf and moose in an environment largely free from human influence.

We celebrate the lessons learned and the sharing of knowledge gained through the course of 50 years of observing wolves and moose on Isle Royale. All of us benefit from the application of the information attained through this study.

The health and well-being of our environment not only affects the quality of our daily lives but is one of the most significant legacies our generation will pass onto the next. I know my colleagues join me in recognizing the efforts and hard work of each person affiliated with this important project and wish them much success as they continue to shed light on the relationships of these species in Isle Royale.●

COMMENDING DR. EPHRAIM ZUROFF

● Mr. SMITH. Madam President, today I commend Dr. Ephraim Zuroff and the Simon Wiesenthal Center for their efforts to track down the last Nazi war criminals from World War II. Their work is enormously important, both in bringing the guilty to justice and preventing future acts of genocide. The statute of limitations does not—must not—expire on crimes against humanity. I am proud to assist Dr. Zuroff and his organization through the World War II War Crimes Accountability Act, which I introduced with Senator NELSON earlier this year.

Over the past weeks, Dr. Zuroff has traveled throughout South America in an effort to locate Dr. Aribert Heim,

one of the most wanted Nazis still at large. Dr. Heim, a former SS concentration camp doctor, was nicknamed "Dr. Death" for his brutal and sadistic experiments on camp inmates. At Mauthausen, the camp where he committed his worst crimes, Dr. Heim was known for murdering inmates by injecting toxins directly into their hearts. Though detained after the Second World War, Heim was subsequently released and remained free until 1962. After he was tipped off that German authorities intended to prosecute him for war crimes, he fled Germany and disappeared. Today, Dr. Heim is believed to be living in either the Chilean or Argentinean Patagonia region at the tip of South America. His family claims he died in 1993 after fleeing Germany, but Dr. Zuroff points out that the family has still not claimed one of his bank accounts holding over a million dollars. If he were dead, his relatives could receive that money by showing evidence of his death.

The Simon Wiesenthal Center launched Operation: Last Chance in 2002 to identify and assist in the prosecution of the remaining Nazi war criminals still at large. Dr. Zuroff, who has been leading this effort, should be highly commended for his outstanding efforts in bringing the most guilty Nazis to justice. Of these, Dr. Heim is at the top of his list.

Even today, the crimes of Heim and the Nazi regime strain our understanding of hate. National Socialist Germany today is an icon remembered only for its brutality, its mantra of genocide, and its culture of racism. And those last Nazis, who are waiting out their last days under the coming twilight, must not be allowed to go quietly into the night, as did too many of their victims. For the souls that were lost, and even more for those that remain, there must be justice. I commend Dr. Zuroff and the Simon Wiesenthal Center in the highest possible terms, and urge the U.S. Government to do all it can to help them in their cause.●

MESSAGE FROM THE HOUSE

ENROLLED BILLS SIGNED

At 3:02 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 3564. An act to amend title 5, United States Code, to authorize appropriations for the Administrative Conference of the United States through fiscal year 2011, and for other purposes.

H.R. 3985. An act to amend title 49, United States Code, to direct the Secretary of Transportation to register a person providing transportation by an over-the-road bus as a motor carrier of passengers only if the person is willing and able to comply with certain accessibility requirements in addition to other existing requirements, and for other purposes.

H.R. 4289. An act to name the Department of Veterans Affairs outpatient clinic in Ponce, Puerto Rico, as the "Euripides Rubio Department of Veterans Affairs Outpatient Clinic".

S. 231. An act to authorize the Edward Byrne Memorial Justice Assistance Grant Program at fiscal year 2006 levels through 2012.

S. 2607. An act to make a technical correction to section 3009 of the Deficit Reduction Act of 2005.

S. 3145. An act to designate a portion of United States Route 20A, located in Orchard Park, New York, as the "Timothy J. Russert Highway".

S. 3218. An act to extend the pilot program for volunteer groups to obtain criminal history background checks.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-7173. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General Joseph F. Weber, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-7174. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Admiral Evan M. Chanik, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-7175. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting the report of (4) officers authorized to wear the insignia of the next higher grade in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-7176. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-7177. A communication from the Chief, Programs and Legislation Division, Department of the Air Force, transmitting, pursuant to law, a report relative to the initiation of a single function standard competition at Buckley Air Force Base, Colorado; to the Committee on Armed Services.

EC-7178. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting the report of the authorization of Brigadier General Harold W. Moulton II, United States Air Force, to wear the authorized insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-7179. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" ((73 FR 36803)(44 CFR Part 65)) received on July 18, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-7180. A communication from the Chief Counsel, Federal Emergency Management

Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((73 FR 38132)(44 CFR Part 67)) received on July 18, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-7181. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Withdrawal of Final Flood Elevation Determination for the District of Columbia, Washington D.C." ((73 FR 36472)(44 CFR Part 67)) received on July 18, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-7182. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13441 with respect to Lebanon; to the Committee on Banking, Housing, and Urban Affairs.

EC-7183. A communication from the Chairman and President, Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving the export of oil and natural gas equipment and services to India; to the Committee on Banking, Housing, and Urban Affairs.

EC-7184. A communication from the Director, Office of Energy Policy and New Uses, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Designation of Biobased Items for Federal Procurement; Final Rule" (RIN0503-AA31) received on July 18, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7185. A communication from the Director, Office of Energy Policy and New Uses, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Designation of Biobased Items for Federal Procurement; Final Rule" (RIN0503-AA30) received on July 18, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7186. A communication from the Administrator, Risk Management Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Common Crop Insurance Regulations; Catastrophic Risk Protection and Group Risk Plan of Insurance" (RIN0563-AC17) received on July 18, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7187. A communication from the Assistant Director, Directives and Regulations Branch, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National Environmental Policy Act Procedures" (RIN0596-AC49) received on July 18, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7188. A communication from the Deputy Assistant Administrator for Satellite and Information Services, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Licensing of Private Land Remote Sensing Space Systems" (RIN0648-AT00) received on July 21, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7189. A communication from the Director of Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to the Explosive Removal of Offshore Structures in the Gulf of Mexico" (RIN0648-AT79) received July 18, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7190. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries, Department of Commerce, transmitting, pursuant

to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Western Regulatory Area of the Gulf of Alaska" (RIN0648-XI93) received on July 18, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7191. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Inseason Adjustment to Fishing Year (FY) 2008 Total Allowable Catch (TAC) for Georges Bank (GB) Yellowtail Flounder U.S./Canada Management Area" (RIN0648-XI94) received on July 18, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7192. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Suspension of the primary season for Pacific whiting fishery for the shore based sector south of 42 degree N. Lat." (RIN0648-XI87) received on July 18, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7193. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Regulatory Area of the Gulf of Alaska" (RIN0648-XI90) received on July 18, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7194. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by American Fisheries Act Catcher Processors Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XI94) received on July 18, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7195. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch for Catcher Processors Participating in the Rockfish Limited Access fishery in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XI92) received on July 18, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7196. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Expansion of Emergency Fishery Closure Due to the Presence of the Toxin that Causes Paralytic Shellfish Poisoning" (RIN0648-AW99) received on July 18, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7197. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Framework Adjustment 19; Announcing OMB Approval of Information Collection" (RIN0648-AV90) received on July 18, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7198. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Depart-

ment of Commerce, transmitting, pursuant to law, the report of a rule entitled "Amendment 9 to the Atlantic Mackerel, Squid, and Butterfish Fishery Management Plan" (RIN0648-AP60) received on July 18, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7199. A communication from the Deputy Director, National Institute of Standards and Technology, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Technology Innovation Program (TIP) Notice of Availability of Funds and Announcement of Public Meetings (Proposers' Conferences)" (RIN0693-ZA82) received on July 18, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7200. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone Regulations (including 11 regulations beginning with USCG-2008-0372)" (RIN1625-AA00; 1625-AA87) received on July 18, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7201. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone Regulations (including 3 regulations beginning with USCG-2007-0157)" (RIN1625-AB87; 1625-AA00) received on July 18, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7202. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulations; Potomac River, Oxon Hill, MD and Alexandria, VA [USCG-2008-0207]" (RIN1625-AA09) received on July 18, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7203. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area and Safety Zone, Chicago Sanitary and Ship Canal, Romeoville, IL [USCG-2008-0470]" (RIN1625-AA11) received on July 18, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7204. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Anchorage Regulations (including 2 regulations beginning with USCG-2007-0198)" (RIN1625-AA01) received on July 18, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7205. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations (including 2 regulations beginning with USCG-2008-0031)" (RIN1625-AA08; 1625-AA00) received on July 18, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7206. A communication from the Deputy Division Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Commercial Mobile Alert System" (RIN3060-AJ03) received on July 18, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7207. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "TD: Determining the

Amount of Taxes Paid for Purposes of Section 901" (RIN1545-BH74 (TD9416)) received on July 18, 2008; to the Committee on Finance.

EC-7208. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Grantor Retained Interest Trusts—Application of Sections 2036 and 2039" (RIN1545-BE52 (TD9414)) received on July 18, 2008; to the Committee on Finance.

EC-7209. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Amendment to the Guidelines for the Award of Monitoring Initiative Funds under Section 106 Grants to States, Interstate Agencies, and Tribes" (FRL No. 8693-8) received on July 18, 2008; to the Committee on Environment and Public Works.

EC-7210. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Section 110(a)(1) 8-Hour Ozone Maintenance Plan and 2002 Base-Year Inventory for the Pike County Area" (FRL No. 8694-7) received on July 18, 2008; to the Committee on Environment and Public Works.

EC-7211. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Determination of Attainment for the Ozone National Ambient Air Quality Standards for Nonattainment Areas in Delaware, District of Columbia, Maryland, Pennsylvania, and Virginia" (FRL No. 8694-8) received on July 18, 2008; to the Committee on Environment and Public Works.

EC-7212. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Pesticide Element; Ventura County" (FRL No. 8694-1) received on July 18, 2008; to the Committee on Environment and Public Works.

EC-7213. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Dichlorvos (DDVP); Order Denying NRDC's Objections and Requests for Hearing" (FRL No. 8372-5) received on July 18, 2008; to the Committee on Environment and Public Works.

EC-7214. A communication from the Chief of Division of Management Authority, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Revision of Regulation Implementing the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); Import and Export of Sturgeon Caviar" (RIN1018-AV70) received on July 18, 2008; to the Committee on Environment and Public Works.

EC-7215. A communication from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Permits; Addresses for Applications for Eagle and Migratory Bird Permit Applications" (RIN1018-AV63) received on July 18, 2008; to the Committee on Environment and Public Works.

EC-7216. A communication from the Acting Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and back-

ground statements of international agreements, other than treaties (List 2008-116—2008-120); to the Committee on Foreign Relations.

EC-7217. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed technical assistance agreement for the export of technical data, defense services, and defense articles in the amount of \$50,000,000 or more to the Government of Israel; to the Committee on Foreign Relations.

EC-7218. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed technical assistance agreement for the export of technical data and defense services in the amount of \$50,000,000 or more to the Government of the United Kingdom; to the Committee on Foreign Relations.

EC-7219. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed technical assistance agreement for the export of defense services and defense articles in the amount of \$100,000,000 or more to the Government of Japan; to the Committee on Foreign Relations.

EC-7220. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed technical assistance agreement for the export of defense services and defense articles in the amount of \$100,000,000 or more to the Governments of Romania, France, and the United Kingdom; to the Committee on Foreign Relations.

EC-7221. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed technical assistance agreement for the export of defense services and defense articles in the amount of \$100,000,000 or more to the Government of Germany; to the Committee on Foreign Relations.

EC-7222. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed agreement for the sale of major defense equipment in the amount of \$14,000,000 or more to the Government of Singapore; to the Committee on Foreign Relations.

EC-7223. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed manufacturing license for the manufacture of significant military equipment abroad and the export of defense articles and defense services in the amount of \$50,000,000 or more to Turkey; to the Committee on Foreign Relations.

EC-7224. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of the proposed transfer of major defense equipment to the Government of Canada; to the Committee on Foreign Relations.

EC-7225. A communication from the Secretary, Health and Human Services, transmitting, pursuant to law, a performance report to the President and the Congress for the Prescription Drug User Fee Act; to the Committee on Health, Education, Labor, and Pensions.

EC-7226. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of

a rule entitled "National Institute on Disability and Rehabilitation Research—Disability and Rehabilitation Research Projects and Centers Program—Rehabilitation Engineering Research Centers (RERCs)—Technologies for Successful Aging with Disability" received on July 18, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC-7227. A communication from the White House Liaison, Office of Legislation and Congressional Affairs, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary received on July 18, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC-7228. A communication from the White House Liaison, Office of Management, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary received on July 18, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC-7229. A communication from the Director, Strategic Human Resources Policy, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Administrative Law Judge Program—Examining System and Programs for Specific Positions and Examinations" (RIN3206-AL67) received on July 18, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-7230. A communication from the Deputy Chief of Staff of the Administrator, General Services Administration, transmitting, pursuant to law, a report on the new mileage reimbursement rates for Federal employees who use privately owned vehicles; to the Committee on Homeland Security and Governmental Affairs.

EC-7231. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17-421, "National Public Radio Real Property Tax Abatement Act of 2008" received on June 3, 2008; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES DURING RECESS OF SENATE

Under the authority of the order of the Senate of January 4, 2007, the following reports of committees were submitted on July 18, 2008:

By Mr. LEAHY, from the Committee on Appropriations, without amendment:

S. 3288. An original bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2009, and for other purposes (Rept. No. 110-425).

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KOHL, from the Committee on Appropriations, without amendment:

S. 3289. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2009, and for other purposes (Rept. No. 110-426).

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. 2774. A bill to provide for the appointment of additional Federal circuit and district judges, and for other purposes (Rept. No. 110-427).

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. KOHL:

S. 3289. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2009, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. BARRASSO (for himself, Mr. JOHNSON, and Mr. ENZI):

S. 3290. A bill to provide for a program for circulating quarter dollar coins that are emblematic of a national park or other national site in each State, the District of Columbia, and certain territories and insular areas of the United States, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HARKIN (for himself and Mr. LUGAR):

S. 3291. A bill to amend the Internal Revenue Code of 1986 to treat certain income and gains relating to fuels as qualifying income for publicly traded partnerships; to the Committee on Finance.

By Mr. KERRY (for himself, Mr. CARDIN, Mr. KENNEDY, Mr. LIEBERMAN, Mr. MENENDEZ, Mr. WHITEHOUSE, Ms. CANTWELL, and Mr. DODD):

S. 3292. A bill to provide emergency energy assistance, and for other purposes; to the Committee on Finance.

By Mr. BINGAMAN (for himself, Mrs. HUTCHISON, Mr. DOMENICI, and Mr. CORNYN):

S. 3293. A bill to provide financial aid to local law enforcement officials along the Nation's borders, and for other purposes; to the Committee on the Judiciary.

By Mr. LEAHY (for himself and Mr. SPECTER):

S. 3294. A bill to provide for the continued performance of the functions of the United States Parole Commission; considered and passed.

By Mr. LEAHY (for himself and Mr. SPECTER):

S. 3295. A bill to amend title 35, United States Code, and the Trademark Act of 1946 to provide that the Secretary of Commerce, in consultation with the Director of the United States Patent and Trademark Office, shall appoint administrative patent judges and administrative trademark judges, and for other purposes; to the Committee on the Judiciary.

By Mr. LEAHY (for himself and Mr. SPECTER):

S. 3296. A bill to extend the authority of the United States Supreme Court Police to protect court officials off the Supreme Court Grounds and change the title of the Administrative Assistant to the Chief Justice; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND
SENATE RESOLUTIONS

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

By Mrs. LINCOLN (for herself and Ms. SNOWE):

S. Res. 616. A resolution reducing maternal mortality both at home and abroad; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 561

At the request of Mr. BUNNING, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 561, a bill to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs.

S. 901

At the request of Mr. WYDEN, his name was added as a cosponsor of S. 901, a bill to amend the Public Health Service Act to reauthorize the Community Health Centers program, the National Health Service Corps, and rural health care programs.

S. 953

At the request of Mr. ROCKEFELLER, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 953, a bill to amend title 49, United States Code, to ensure competition in the rail industry, enable rail customers to obtain reliable rail service, and provide those customers with a reasonable process for challenging rate and service disputes.

S. 1097

At the request of Mrs. CLINTON, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1097, a bill to amend title 10, United States Code, to provide for the award of a military service medal to members of the Armed Forces who served honorably during the Cold War era.

S. 1223

At the request of Ms. LANDRIEU, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 1223, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to support efforts by local or regional television or radio broadcasters to provide essential public information programming in the event of a major disaster, and for other purposes.

S. 1232

At the request of Mr. DODD, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 1232, a bill to direct the Secretary of Health and Human Services, in consultation with the Secretary of Education, to develop a voluntary policy for managing the risk of food allergy and anaphylaxis in schools, to establish school-based food allergy management grants, and for other purposes.

S. 1638

At the request of Mr. LEAHY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1638, a bill to adjust the salaries of Federal justices and judges, and for other purposes.

S. 1812

At the request of Mrs. CLINTON, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1812, a bill to amend the Elementary and Secondary Education Act of

1965 to strengthen mentoring programs, and for other purposes.

S. 1846

At the request of Mr. BOND, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1846, a bill to improve defense cooperation between the Republic of Korea and the United States.

S. 2040

At the request of Mr. BOND, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 2040, a bill to amend the Internal Revenue Code of 1986 to increase the alternative tax liability limitation for small property and casualty insurance companies.

S. 2059

At the request of Mrs. CLINTON, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 2059, a bill to amend the Family and Medical Leave Act of 1993 to clarify the eligibility requirements with respect to airline flight crews.

S. 2458

At the request of Ms. LANDRIEU, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2458, a bill to promote and enhance the operation of local building code enforcement administration across the country by establishing a competitive Federal matching grant program.

S. 2920

At the request of Mr. KERRY, the names of the Senator from Wyoming (Mr. ENZI) and the Senator from Oregon (Mr. SMITH) were added as cosponsors of S. 2920, a bill to reauthorize and improve the financing and entrepreneurial development programs of the Small Business Administration, and for other purposes.

S. 3038

At the request of Mr. GRASSLEY, the names of the Senator from Indiana (Mr. BAYH) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 3038, a bill to amend part E of title IV of the Social Security Act to extend the adoption incentives program, to authorize States to establish a relative guardianship program, to promote the adoption of children with special needs, and for other purposes.

S. 3114

At the request of Mr. LIEBERMAN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 3114, a bill to provide safeguards against faulty asylum procedures, to improve conditions of detention for detainees, and for other purposes.

S. 3140

At the request of Mr. WEBB, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 3140, a bill to provide that 4 of the 12 weeks of parental leave made available to a Federal employee shall be paid leave, and for other purposes.

S. 3200

At the request of Mr. KERRY, the name of the Senator from Delaware

(Mr. CARPER) was added as a cosponsor of S. 3200, a bill to develop capacity and infrastructure for mentoring programs.

S. 3223

At the request of Mr. KERRY, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 3223, a bill to establish a small business energy emergency disaster loan program.

S. 3242

At the request of Mrs. LINCOLN, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 3242, a bill to suspend temporarily the duty on digital-to-analog converter boxes, and for other purposes.

S. 3255

At the request of Mr. LEVIN, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 3255, a bill to amend the Commodity Exchange Act to provide for the oversight of large trades of over-the-counter energy and agricultural contracts to prevent price manipulation and excessive speculation, and for other purposes.

S. 3268

At the request of Mr. REID, the names of the Senator from Rhode Island (Mr. REED), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Oregon (Mr. WYDEN) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 3268, a bill to amend the Commodity Exchange Act, to prevent excessive price speculation with respect to energy commodities, and for other purposes.

S. 3272

At the request of Mr. SPECTER, the names of the Senator from Minnesota (Mr. COLEMAN), the Senator from Maine (Ms. COLLINS), the Senator from Texas (Mrs. HUTCHISON), the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Oregon (Mr. SMITH) were added as cosponsors of S. 3272, a bill to make emergency supplemental appropriations for the National Institutes of Health for the fiscal year ending September 30, 2008, and for other purposes.

S.J. RES. 24

At the request of Mr. GRAHAM, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S.J. Res. 24, a joint resolution proposing a balanced budget amendment to the Constitution of the United States.

S.J. RES. 44

At the request of Mr. ROCKEFELLER, the names of the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Minnesota (Mr. COLEMAN) and the Senator from Indiana (Mr. BAYH) were added as cosponsors of S.J. Res. 44, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule set forth as requirements contained in the August 17, 2007, letter to State Health Officials from the Director of

the Center for Medicaid and State Operations in the Centers for Medicare & Medicaid Services and the State Health Official Letter 08-003, dated May 7, 2008, from such Center.

S. CON. RES. 80

At the request of Mr. HAGEL, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. Con. Res. 80, a concurrent resolution urging the President to designate a National Airborne Day in recognition of persons who are serving or have served in the airborne forces of the Armed Services.

S. RES. 273

At the request of Ms. MIKULSKI, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. Res. 273, a resolution expressing the sense of the Senate that the United States Postal Service should issue a semipostal stamp to support medical research relating to Alzheimer's disease.

S. RES. 580

At the request of Mr. BAYH, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. Res. 580, a resolution expressing the sense of the Senate on preventing Iran from acquiring a nuclear weapons capability.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HARKIN (for himself and Mr. LUGAR):

S. 3291. A bill to amend the Internal Revenue Code of 1986 to treat certain income and gains relating to fuels as qualifying income for publicly traded partnerships; to the Committee on Finance.

Mr. HARKIN, Mr. President, I am pleased to join with Senator LUGAR in introducing the Biofuels Pipeline Act of 2008. This bill provides that the movement of biofuels by pipeline will receive the same tax treatment as petroleum-based fuels.

Earlier this session, Congress adopted a Renewable Fuels Standard that will require us to consume 15.2 billion gallons by 2012, and 36 billion gallons by 2022. Biodiesel and ethanol already have the capacity to meet a substantial share of our energy needs. In future years, second-generation ethanol from switch grass and other cellulosic feedstocks will further increase our liquid fuel supply.

But it is not enough to establish renewable fuels standards and mandates in order to spur production. We also need to clear the way for development of the infrastructure for storing, transporting, and marketing vast new quantities of renewable fuels.

In this regard, we have a problem. The lion's share of our renewable fuels are produced in the Midwest and in the Plains states, and we currently do not have the most efficient infrastructure in place to transport these liquid fuels to population centers in the East and elsewhere.

Currently, biodiesel and ethanol are transported by barge, rail, or truck. But these forms of transportation are far more expensive than the pipeline alternative. Simply stated, there aren't enough barges, rail cars, and trucks to move renewable liquid fuels from where they are produced to where they will be consumed.

While the most efficient mode for transporting liquid fuels is by pipeline, there are multiple obstacles—both technical and man-made—that have to be overcome.

The industry is overcoming the technical challenges associated with transporting so-called "neat" renewable fuels by pipeline, and is actively studying the prospect of transporting gasoline/ethanol blends via pipeline.

Since the rate of return on the transportation of oil and gas is highly regulated and limited, oil and natural gas companies have been selling their pipelines to companies that operate as Publicly Traded Partnerships—PTPs—whose core business is the transportation, storage and marketing of oil and gas.

However, by law, Publicly Traded Partnerships must earn 90 percent of their income from "qualifying income," which is defined under the tax code as income from the exploration, transportation, storage, or marketing of depletable natural resources, including oil, gas, and coal.

By their very nature, renewable liquid fuels are not a depletable natural resource. And that means that the income produced from the transportation, storage, and marketing of these fuels is not qualifying income.

Since the penalty for PTPs that earn more than 10 percent of their income from a non-qualifying source is loss of PTP status, they cannot, and will not, invest in pipelines designed to transport renewable liquid fuels.

We simply have to remove this obstacle. Publicly Traded Partnerships now own and operate 50 percent of America's liquids pipelines. Some would argue that there are also others who would be willing to step in and meet the need with regard to renewable liquid fuels.

However, vertically integrated energy companies that own pipelines may not view the opportunity associated with renewable fuel pipelines in the same manner as a PTP. In fact, since the mid-1980s, when the PTP structure was originally codified, several major oil companies have been divesting themselves of pipelines, which they have been selling to Publicly Traded Partnerships.

As a result, since the PTP pipeline industry's core business is the transportation, storage, and marketing of liquid fuels, these PTP's are the most likely industry to build the pipeline infrastructure that we will need to transport alternative liquid fuels from the Midwest to far-flung parts of the country.

Bear in mind, too, that PTPs have crucial right of way that would make

the construction of renewable fuel pipelines more likely.

To this end, we need to expand the definition of "qualifying income" to include any renewable liquid fuel. This bill does just that—to any fuel approved by the Environmental Protection Agency for transport in pipelines. Effectively, the modification adds one category of fuels that currently do not receive the favorable qualified income status: biofuels like ethanol and biodiesel.

This is entirely consistent with Congress's original intent in codifying Publicly Traded Partnerships. At that time, both the Treasury Department and Congress recognized that partnerships were the traditional manner in which oil and gas exploration, refining, marketing and transport were financed.

Clearly, transportation of liquid fuels was an integral part of what Congress intended to cover. However, back in the mid-1980s, few people thought that alternative fuels would become a significant source of liquid energy.

It's time to bring the law up to date. Our current dependence on imported oil—including oil from some of the most unstable parts of the world—is a clear and present danger to America's national security. At the same time, our dependence on the burning of fossil fuels—a primary source of carbon dioxide emissions, and a primary cause of global warming—presents a clear and present, danger to the Earth as we know it.

The price of a barrel of imported oil has shot up nearly five fold during the last eight years—from \$27.39 a barrel in 2000 to about \$130 a barrel today. During the same time, the cost of a gallon of gasoline has risen more than 250 percent, from \$1.50 to \$4.11. In the future, price increases will be driven by an explosion of demand from China, India, and other rapidly developing countries.

We need to seize control of our energy future. We need to rapidly shift to clean, renewable, home-grown sources of energy, including ethanol and other renewable fuels.

This legislation is one step, but an important step, in moving us to considerably expand our efficient use of renewable fuels, thereby expanding our alternatives to gasoline and diesel.

By Mr. KERRY (for himself, Mr. CARDIN, Mr. KENNEDY, Mr. LIEBERMAN, Mr. MENENDEZ, Mr. WHITEHOUSE, Ms. CANTWELL, and Mr. DODD):

S. 3292. A bill to provide emergency energy assistance, and for other purposes; to the Committee on Finance.

Mr. KERRY. Mr. President, today I am introducing the Emergency Energy Assistance Act of 2008, which will provide emergency relief to families in Massachusetts and around the country who are suffering from record energy costs. I am joined by Senators KENNEDY, LIEBERMAN, CARDIN, MENENDEZ, WHITEHOUSE, CANTWELL and DODD in

introducing this important and timely piece of legislation. This legislation will help some of the 85 percent of American families who are eligible for assistance from the Low-Income Home Energy Assistance, but have been unable to obtain it due to budget restrictions.

Consumers around the country are facing skyrocketing prices for transportation and heating fuels. Heating oil prices in the Northeast averaged \$3.40 in the first quarter of 2008, compared to just \$2.52 in 2007, putting severe strains on the approximately 960,000 Massachusetts families who simply cannot afford these skyrocketing prices. Today, 100,000 Massachusetts households are still behind on their energy bills from last winter and remain at risk of shut-offs of vital energy services.

These high costs are expected to continue through this year's heating season. Home heating oil prices in Massachusetts are already averaging \$4.60/gallon. The typical family uses approximately 1,000 gallons of heating oil during the course of the winter—Massachusetts households could realistically be looking at heating bills approaching \$5,000—an impossible sum for thousands of families around the state. When coupled with the escalating costs of transportation fuels, the burden is simply too much to bear.

The primary Federal energy assistance program for low-income households is the Low-Income Home Energy Assistance Program LIHEAP. As energy costs rise, the demand for LIHEAP funds grows. 5.8 million families received LIHEAP funds in 2008, the highest participation levels in 16 years. In Massachusetts, over 145,000 families receive LIHEAP funds. However, as energy costs rise and demand for LIHEAP grows, the program's budget has not kept pace and we just can't cover all the people that need help. In fact, only 15 percent of eligible households nationally are receiving funding. Even in those households that do receive LIHEAP funds, the money isn't going very far—the average LIHEAP grant only pays for 18 percent of the total cost of heating a home with heating oil.

I have been a long-time, strong supporter of legislation introduced by Senator SANDERS—the Warm in Winter, Cool in Summer Act that would fund the LIHEAP program for 2008 at the fully-authorized level of \$5.1 billion, and I have incorporated that essential provision into the legislation I am introducing today.

In addition, the Emergency Energy Assistance Act of 2008 includes critical emergency funding for the Weatherization Assistance Program at the U.S. Department of Energy. This program enables service providers to install energy efficiency measures in the homes of qualifying homeowners free of charge, and it provides real, short-term opportunities for homeowners to bring down their energy bills. My legislation

would fund the program at \$750 million, the fully-authorized level for 2008.

Finally, this legislation would provide a temporary increase in the Earned Income Tax Credit EITC for 2008 to help families pay their increasing energy bills. The EITC is a refundable tax credit for low-income working families. These households are bearing the burden of escalating energy costs, yet many of these beneficiaries did not receive the full rebates provided through the Economic Stimulus Act of 2008.

This legislation would increase the maximum EITC credit amount by \$300 for 2008. By increasing the credit amount, more families will be eligible for the credit than under current law. Beneficiaries will receive the increased EITC when they file their 2008 tax returns. This \$300 will help working families with rising heating and transportation costs.

In the face of skyrocketing energy prices, we must take serious and immediate measures to assist low-income working families. We cannot stand idly by as American families are forced to make impossible decisions about whether to heat their homes or put food on their tables. This is a crisis of tremendous proportions, and it is incumbent upon us to take steps now to ensure that millions of households are not literally left out in the cold this winter.

By Mr. BINGAMAN (for himself, Mrs. HUTCHISON, Mr. DOMENICI, and Mr. CORNYN):

S. 3293. A bill to provide financial aid to local law enforcement officials along the Nation's borders, and for other purposes; to the Committee on the Judiciary.

Mr. BINGAMAN. Mr. President, today I am introducing an important measure that will provide local, State, and Tribal law enforcement agencies along our Nation's borders with critical assistance in addressing border-related criminal activity. I am pleased that Senators HUTCHISON and DOMENICI are joining me in introducing this bipartisan legislation.

By virtue of their proximity to an international border, law enforcement agencies operating along the border face a variety of unique challenges. Criminal enterprises are able to take advantage of weaknesses in security to traffic drugs and other illicit contraband into the country, as well as smuggle weapons and stolen vehicles out of the country. This creates a nexus of criminal activity that requires substantial resources to address.

While Congress has dramatically increased funding to hire additional Border Patrol agents and to build tactical infrastructure—such as surveillance cameras and barriers—we haven't done enough in terms of helping local law enforcement. The reality is that although we are making some progress in securing the borders, local law enforcement agencies still have to pick up

much of the burden in tackling the criminal activity throughout the region.

Many of these police departments are ill-suited to cover these costs without financial assistance. Many are responsible for large, rural areas of land and lack the personnel and equipment to adequately patrol these areas. If we are going to be successful in bringing real security to the border region, we need to have Federal, State, and local law enforcement agencies doing their respective parts to fight criminal activity. But to do this, we also need to ensure that local law enforcement have the resources necessary to play a constructive role, and to recognize the substantial costs they are incurring.

The Border Law Enforcement Relief Act of 2008 would do just that.

Specifically, the legislation would: establish a new competitive grant program within the Department of Justice to assist local law enforcement operating within 100 miles of the U.S. borders with Mexico and Canada; authorize the Attorney General to designate areas outside of the 100-mile limit as "High Impact Areas" to permit additional police departments impacted by border-related criminal activity, such as drug smuggling, to access grant funding; and authorize \$100 million each year for the next 5 years to implement this program.

Let me also be clear about what this legislation would not do. It does not confer local law enforcement with authority to enforce Federal immigration law. The purpose of this bill is to help these agencies cover some of the costs they incur in addressing border-related criminal activity, not to shift another burden to them.

The U.S.-Mexico border region is a vibrant area, economically and culturally. International trade with our southern neighbor continues to increase and communities on both sides of the border maintain strong ties. Unfortunately, over the last year and a half we have seen a dramatic increase in the level of violence in Mexico as the government steps up efforts to tackle drug cartels—over 4,000 people have been killed. This violence has had a negative impact on both sides of the border, and Congress recently provided \$400 million in assistance for Mexican law enforcement to address this problem. But we also need to be aware of the fact that local law enforcement within the United States also need additional resources to prevent this violence from spreading and to fight these drug gangs in a comprehensive manner.

I strongly believe this legislation will provide this essential assistance and I hope my colleagues will support this effort.

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

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

S. 3293

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 "Border Law Enforcement Relief Act of 2008".

SEC. 2. BORDER RELIEF GRANT PROGRAM.

(a) GRANTS AUTHORIZED.—

(1) IN GENERAL.—The Attorney General is authorized to award grants to an eligible law enforcement agency to provide assistance to such agency to address border-related criminal activity that occurs in the jurisdiction of such agency.

(2) COMPETITIVE BASIS.—The Attorney General shall award grants under this subsection on a competitive basis.

(b) USE OF FUNDS.—Grants awarded pursuant to subsection (a) may only be used to provide additional resources for an eligible law enforcement agency, including resources to—

- (1) obtain equipment;
- (2) hire additional personnel;
- (3) upgrade and maintain law enforcement technology;
- (4) cover the operational costs, including overtime and transportation costs; and
- (5) assist that agency in responding to border-related criminal activity.

(c) APPLICATION.—

(1) IN GENERAL.—Each eligible law enforcement agency seeking a grant under this section shall submit an application to the Attorney General at such time, in such manner, and accompanied by such information as the Attorney General may reasonably require.

(2) CONTENTS.—Each application submitted under paragraph (1) shall—

- (A) describe the activities for which assistance under this section is sought; and
- (B) provide such additional assurances as the Attorney General determines to be essential to ensure compliance with the requirements under this section.

(d) DEFINITIONS.—In this section:

(1) ELIGIBLE LAW ENFORCEMENT AGENCY.—The term "eligible law enforcement agency" means a tribal, State, or local law enforcement agency located or performing duties in—

(A) a county that is not more than 100 miles from a United States border with—

- (i) Canada; or
- (ii) Mexico; or

(B) a county that is more than 100 miles from each of the borders described in subparagraph (A), if such county has been certified by the Attorney General as a High Impact Area.

(2) HIGH IMPACT AREA.—The term "High Impact Area" means any county designated by the Attorney General as a High Impact Area, taking into consideration—

(A) whether an eligible law enforcement agency in that county has the resources to protect the lives, property, safety, or welfare of the residents of that county;

(B) whether the county has been designated as a "High Intensity Drug Trafficking Area" by the National Drug Control Program under section 707 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1706);

(C) the relationship between any lack of security along the United States border and the rise, if any, of criminal activity in that county; and

(D) any other unique challenges that eligible law enforcement agencies face due to a lack of security along the United States border.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated \$100,000,000 for each of the fiscal

years 2009 through 2013 to carry out the provisions of this section.

(2) ALLOCATION OF AUTHORIZED FUNDS.—Of the amounts appropriated pursuant to paragraph (1), 33 percent shall be set aside for areas designated as High Impact Areas under subsection (d)(2).

(f) SUPPLEMENT NOT SUPPLANT.—Amounts appropriated for grants under this section shall be used to supplement and not supplant other tribal, State, and local public funds obligated for the purposes provided under this title.

SEC. 3. ENFORCEMENT OF FEDERAL IMMIGRATION LAW.

Nothing in this Act shall be construed to authorize tribal, State, or local law enforcement agencies or their officers to exercise Federal immigration law enforcement authority.

Mrs. HUTCHISON. Mr. President, I rise today to introduce the Border Law Enforcement Relief Act of 2008.

This legislation will address one of the most serious threats facing our communities—drug trafficking. The magnitude of narcotics trafficking along the U.S.-Mexico border is staggering.

According to the U.S. State Department, in 2007 alone, Mexico, with close cooperation from U.S. and regional law enforcement, confiscated 48.5 metric tons of cocaine, 2,171 metric tons of marijuana, and 25.7 tons of precursor chemicals for methamphetamines.

On the American side of the border, in fiscal year 2007, on a typical day, U.S. Customs and Border Protection confiscated 2,250 pounds of narcotics in 69 seizures at ports of entry and 5,138 pounds of narcotics in 29 seizures between ports of entry and conducted 70 criminal arrests.

While new funding for the Merida Initiative in the Supplemental Appropriations bill will help the Mexican government attack the problem, the funding is currently unbalanced, as it does not address the U.S. side of the border and the battle that our hometown law enforcement officials are waging against the exact same threat.

We should not fail to recognize that the narco-terrorists in Mexico have grown increasingly violent, killing 300 policemen last year and the head of the Mexican federal police force in May.

However, the violence is not confined to Mexico. In 2007, a councilman from Acuña was killed on U.S. soil in Del Rio, TX, and seven border patrol agents were killed on the frontlines. Two agents have been killed so far this year. The total number of assaults against officers has increased from 335 in 2001 to 987 in 2007. We must take a balanced approach to this growing problem, which is why I am introducing the Border Law Enforcement Relief Act today.

This bill would create a grant program to help certain local law enforcement agencies obtain equipment, upgrade technology, hire additional personnel and cover transportation costs associated with criminal activity along the border. Both northern and southern border law enforcement agencies would be eligible, as well as counties that the

Attorney General designates as "High Impact Areas" for drug trafficking.

While we have taken steps to provide our Federal officials with necessary resources, we have not done enough to sufficiently arm our local law enforcement officials with the equipment and resources they need to address an increasingly sophisticated and lethal enemy.

Our local law enforcement across the country serve as a front-line defense, and Congress must ensure they have the necessary resources to stay ahead of the cartels and protect our communities from narcotics trafficking and associated violence.

I ask my colleagues to signal their support for our local law enforcement in their fight against narco-terrorism by supporting this legislation.

By Mr. LEAHY (for himself and Mr. SPECTER):

S. 3295. A bill to amend title 35, United States Code, and the Trademark Act of 1946 to provide that the Secretary of Commerce, in consultation with the Director of the United States Patent and Trademark Office, shall appoint administrative patent judges and administrative trademark judges, and for other purposes; to the Committee on the Judiciary.

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

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

S. 3295

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

SECTION 1. APPOINTMENT OF ADMINISTRATIVE PATENT JUDGES AND ADMINISTRATIVE TRADEMARK JUDGES.

(a) ADMINISTRATIVE PATENT JUDGES.—Section 6 of title 35, United States Code, is amended—

(1) in subsection (a)—

(A) in the second sentence, by striking "Deputy Commissioner" and inserting "Deputy Director"; and

(B) in the last sentence, by striking "Director" and inserting "Secretary of Commerce, in consultation with the Director"; and

(C) by adding at the end the following:

"(c) AUTHORITY OF THE SECRETARY.—The Secretary of Commerce may, in his or her discretion, deem the appointment of an administrative patent judge who, before the date of the enactment of this subsection, held office pursuant to an appointment by the Director to take effect on the date on which the Director initially appointed the administrative patent judge.

"(d) DEFENSE TO CHALLENGE OF APPOINTMENT.—It shall be a defense to a challenge to the appointment of an administrative patent judge on the basis of the judge's having been originally appointed by the Director that the administrative patent judge so appointed was acting as a de facto officer."

(b) ADMINISTRATIVE TRADEMARK JUDGES.—Section 17 of the Act entitled "An Act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes", approved July 5, 1946 (commonly referred to as the

"Trademark Act of 1946"; 15 U.S.C. 1067), is amended—

(1) in subsection (b)—

(A) by inserting "Deputy Director of the United States Patent and Trademark Office", after "Director"; and

(B) by striking "appointed by the Director" and inserting "appointed by the Secretary of Commerce, in consultation with the Director"; and

(2) by adding at the end the following:

"(c) AUTHORITY OF THE SECRETARY.—The Secretary of Commerce may, in his or her discretion, deem the appointment of an administrative trademark judge who, before the date of the enactment of this subsection, held office pursuant to an appointment by the Director to take effect on the date on which the Director initially appointed the administrative trademark judge.

"(d) DEFENSE TO CHALLENGE OF APPOINTMENT.—It shall be a defense to a challenge to the appointment of an administrative trademark judge on the basis of the judge's having been originally appointed by the Director that the administrative trademark judge so appointed was acting as a de facto officer."

By Mr. LEAHY (for himself and Mr. SPECTER):

S. 3296. A bill to extend the authority of the United States Supreme Court Police to protect court officials off the Supreme Court Grounds and change the title of the Administrative Assistant to the Chief Justice; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today I introduce legislation cosponsored by Senator SPECTER that would extend for 5 years the authority of the United States Supreme Court Police to protect Supreme Court Justices when they leave the Supreme Court grounds. In January of this year, after months of compromise, the Court Security Improvement Act was signed into law to authorize additional resources to protect Federal judges, personnel, and courthouses. The bill that we are introducing today would extend the authority of the U.S. Supreme Court Police to protect the Supreme Court Justices on and off Court grounds. It would also change the title of the Chief Justice's senior advisor from "Administrative Assistant" to "Counselor." The administrative assistant position was created by statute in 1972.

We have extended the U.S. Supreme Court Police's authority to protect Justices before, the last time in 2004. This authority expires at the end of this year. I urge Senators to pass this legislation quickly so we can provide Supreme Court Justices the protection that they need as they serve our country.

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

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

S. 3296

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

SECTION 1. UNITED STATES SUPREME COURT POLICE AND COUNSELOR TO THE CHIEF JUSTICE.

(a) EXTENSION OF AUTHORITY OF THE UNITED STATES SUPREME COURT POLICE TO PROTECT

COURT OFFICIALS OFF THE SUPREME COURT GROUNDS.—Section 6121(b)(2) of title 40, United States Code, is amended by striking "2008" and inserting "2013".

(b) COUNSELOR TO THE CHIEF JUSTICE.—

(1) OFFICE OF FEDERAL JUDICIAL ADMINISTRATION.—Section 133(b)(2) of title 28, United States Code, is amended by striking "administrative assistant" and inserting "Counselor".

(2) JUDICIAL OFFICIAL.—Section 376(a) of title 28, United States Code, is amended—

(A) in paragraph (1)(E), by striking "an administrative assistant" and inserting "a Counselor"; and

(B) in paragraph (2)(E), by striking "an administrative assistant" and inserting "a Counselor".

(3) ADMINISTRATIVE ASSISTANT TO THE CHIEF JUSTICE.—

(A) IN GENERAL.—Section 677 of title 28, United States Code, is amended—

(i) in the section heading, by striking "Administrative Assistant" and inserting "Counselor";

(ii) in subsection (a)—

(I) in the first sentence, by striking "an Administrative Assistant" and inserting "a Counselor"; and

(II) in the second and third sentences, by striking "Administrative Assistant" each place that term appears and inserting "Counselor"; and

(iii) in subsections (b) and (c), by striking "Administrative Assistant" each place that term appears and inserting "Counselor".

(B) TABLE OF SECTIONS.—The table of sections for chapter 45 of title 28, United States Code, is amended by striking the item relating to section 677 and inserting the following:

"677. Counselor to the Chief Justice."

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 616—REDUCING MATERNAL MORTALITY BOTH AT HOME AND ABROAD

Mrs. LINCOLN (for herself and Ms. SNOWE) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 616

Whereas more than 536,000 women die during pregnancy and childbirth every year which is one every minute;

Whereas in 15 percent of all pregnancies, the complications are life-threatening;

Whereas girls under 15 are 5 times more likely to die in childbirth than women in their 20s;

Whereas nearly all these deaths are preventable;

Whereas survival rates greatly depend upon the distance and time a woman must travel to get skilled emergency medical care;

Whereas care by skilled birth attendants, nurses, midwives, or doctors during pregnancy and childbirth, including emergency services, and care for mothers and newborns is essential;

Whereas the poorer the household, the greater the risk of maternal death, and 99 percent of maternal deaths occur in developing countries;

Whereas newborns whose mothers die of any cause are 3 to 10 times more likely to die within 2 years than those whose mothers survive;

Whereas more than 1,000,000 children are left motherless and vulnerable every year;

Whereas young girls are often pulled from school and required to fill their lost mother's roles;

Whereas a mother's death lowers family income and productivity which affects the entire community;

Whereas in countries with similar levels of economic development, maternal mortality is highest where women's status is lowest;

Whereas the United States ranks 41st among 171 countries in the latest UN list ranking maternal mortality;

Whereas the overall United States maternal mortality ratio is now 11 deaths per 100,000 live births, one of the highest rates among industrialized nations;

Whereas United States maternal deaths have remained roughly stable since 1982 and have not declined significantly since then;

Whereas the Centers for Disease Control estimates that the true level of United States maternal deaths may be 1.3 to 3 times higher than the reported rate; and

Whereas ethnic and racial disparities in maternal mortality rates persist and in the United States maternal mortality among black women is almost four times the rate among non-Hispanic white women: Now, therefore, be it

Resolved, That the Senate—

(1) makes a stronger commitment to reducing maternal mortality both at home and abroad through greater financial investment and participation in global initiatives; and

(2) recognizes maternal health as a human right.

AMENDMENTS SUBMITTED AND PROPOSED

SA 5088. Mr. DURBIN (for Mr. KENNEDY (for himself and Mr. HATCH)) proposed an amendment to the bill S. 901, to amend the Public Health Service Act to reauthorize the Community Health Centers program, the National Health Service Corps, and rural health care programs.

TEXT OF AMENDMENTS

SA 5088. Mr. DURBIN (for Mr. KENNEDY (for himself and Mr. HATCH)) proposed an amendment to the bill S. 901, to amend the Public Health Service Act to reauthorize the Community Health Centers program, the National Health Service Corps, and rural health care programs; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Health Care Safety Net Act of 2008".

SEC. 2. COMMUNITY HEALTH CENTERS PROGRAM OF THE PUBLIC HEALTH SERVICE ACT.

(a) ADDITIONAL AUTHORIZATIONS OF APPROPRIATIONS FOR THE HEALTH CENTERS PROGRAM OF PUBLIC HEALTH SERVICE ACT.—Section 330(r) of the Public Health Service Act (42 U.S.C. 254b(r)) is amended by amending paragraph (1) to read as follows:

"(1) IN GENERAL.—For the purpose of carrying out this section, in addition to the amounts authorized to be appropriated under subsection (d), there are authorized to be appropriated—

"(A) \$2,065,000,000 for fiscal year 2008;

"(B) \$2,313,000,000 for fiscal year 2009;

"(C) \$2,602,000,000 for fiscal year 2010;

"(D) \$2,940,000,000 for fiscal year 2011; and

"(E) \$3,337,000,000 for fiscal year 2012.".

(b) STUDIES RELATING TO COMMUNITY HEALTH CENTERS.—

(1) DEFINITIONS.—For purposes of this subsection—

(A) the term "community health center" means a health center receiving assistance under section 330 of the Public Health Service Act (42 U.S.C. 254b); and

(B) the term "medically underserved population" has the meaning given that term in such section 330.

(2) SCHOOL-BASED HEALTH CENTER STUDY.—

(A) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall issue a study of the economic costs and benefits of school-based health centers and the impact on the health of students of these centers.

(B) CONTENT.—In conducting the study under subparagraph (A), the Comptroller General of the United States shall analyze—

(i) the impact that Federal funding could have on the operation of school-based health centers;

(ii) any cost savings to other Federal programs derived from providing health services in school-based health centers;

(iii) the effect on the Federal Budget and the health of students of providing Federal funds to school-based health centers and clinics, including the result of providing disease prevention and nutrition information;

(iv) the impact of access to health care from school-based health centers in rural or underserved areas; and

(v) other sources of Federal funding for school-based health centers.

(3) HEALTH CARE QUALITY STUDY.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this Act as the "Secretary"), acting through the Administrator of the Health Resources and Services Administration, and in collaboration with the Agency for Healthcare Research and Quality, shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes agency efforts to expand and accelerate quality improvement activities in community health centers.

(B) CONTENT.—The report under subparagraph (A) shall focus on—

(i) Federal efforts, as of the date of enactment of this Act, regarding health care quality in community health centers, including quality data collection, analysis, and reporting requirements;

(ii) identification of effective models for quality improvement in community health centers, which may include models that—

(I) incorporate care coordination, disease management, and other services demonstrated to improve care;

(II) are designed to address multiple, co-occurring diseases and conditions;

(III) improve access to providers through non-traditional means, such as the use of remote monitoring equipment;

(IV) target various medically underserved populations, including uninsured patient populations;

(V) increase access to specialty care, including referrals and diagnostic testing; and

(VI) enhance the use of electronic health records to improve quality;

(iii) efforts to determine how effective quality improvement models may be adapted for implementation by community health centers that vary by size, budget, staffing, services offered, populations served, and other characteristics determined appropriate by the Secretary;

(iv) types of technical assistance and resources provided to community health centers that may facilitate the implementation of quality improvement interventions;

(v) proposed or adopted methodologies for community health center evaluations of quality improvement interventions, including any development of new measures that are tailored to safety-net, community-based providers;

(vi) successful strategies for sustaining quality improvement interventions in the long-term; and

(vii) partnerships with other Federal agencies and private organizations or networks as appropriate, to enhance health care quality in community health centers.

(C) DISSEMINATION.—The Administrator of the Health Resources and Services Administration shall establish a formal mechanism or mechanisms for the ongoing dissemination of agency initiatives, best practices, and other information that may assist health care quality improvement efforts in community health centers.

(4) GAO STUDY ON INTEGRATED HEALTH SYSTEMS MODEL FOR THE DELIVERY OF HEALTH CARE SERVICES TO MEDICALLY UNDERSERVED POPULATIONS.—

(A) STUDY.—The Comptroller General of the United States shall conduct a study on integrated health system models at not more than 10 sites for the delivery of health care services to medically underserved populations. The study shall include an examination of—

(i) health care delivery models sponsored by public or private non-profit entities that—

(I) integrate primary, specialty, and acute care; and

(II) serve medically underserved populations; and

(ii) such models in rural and urban areas.

(B) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the study conducted under subparagraph (A). The report shall include—

(i) an evaluation of the models, as described in subparagraph (A), in—

(I) expanding access to primary and preventive services for medically underserved populations; and

(II) improving care coordination and health outcomes; and

(ii) an assessment of—

(I) challenges encountered by such entities in providing care to medically underserved populations; and

(II) advantages and disadvantages of such models compared to other models of care delivery for medically underserved populations.

SEC. 3. NATIONAL HEALTH SERVICE CORPS.

(a) FUNDING.—

(1) NATIONAL HEALTH SERVICE CORPS PROGRAM.—Section 338(a) of the Public Health Service Act (42 U.S.C. 254k(a)) is amended by striking "2002 through 2006" and inserting "2008 through 2012".

(2) SCHOLARSHIP AND LOAN REPAYMENT PROGRAMS.—Section 338H(a) of the Public Health Service Act (42 U.S.C. 254q(a)) is amended by striking "appropriated \$146,250,000" and all that follows through the period and inserting the following: "appropriated—

"(1) for fiscal year 2008, \$131,500,000;

"(2) for fiscal year 2009, \$143,335,000;

"(3) for fiscal year 2010, \$156,235,150;

"(4) for fiscal year 2011, \$170,236,310; and

"(5) for fiscal year 2012, \$185,622,980.".

(b) ELIMINATION OF 6-YEAR DEMONSTRATION REQUIREMENT.—Section 332(a)(1) of the Public Health Service Act (42 U.S.C. 254e(a)(1)) is amended by striking "Not earlier than 6 years" and all that follows through "purposes of this section.".

(c) ASSIGNMENT TO SHORTAGE AREA.—Section 333(a)(1)(D)(ii) of the Public Health

Service Act (42 U.S.C. 254f(a)(1)(D)(ii)) is amended—

- (1) in subclause (IV), by striking “and”;
- (2) in subclause (V), by striking the period at the end and inserting “; and”; and
- (3) by adding at the end the following:

“(VI) the entity demonstrates willingness to support or facilitate mentorship, professional development, and training opportunities for Corps members.”.

(d) PROFESSIONAL DEVELOPMENT AND TRAINING.—Subsection (d) of section 336 of the Public Health Service Act (42 U.S.C. 254h-1) is amended to read as follows:

“(d) PROFESSIONAL DEVELOPMENT AND TRAINING.—

“(1) IN GENERAL.—The Secretary shall assist Corps members in establishing and maintaining professional relationships and development opportunities, including by—

“(A) establishing appropriate professional relationships between the Corps member involved and the health professions community of the geographic area with respect to which the member is assigned;

“(B) establishing professional development, training, and mentorship linkages between the Corps member involved and the larger health professions community, including through distance learning, direct mentorship, and development and implementation of training modules designed to meet the educational needs of offsite Corps members;

“(C) establishing professional networks among Corps members; or

“(D) engaging in other professional development, mentorship, and training activities for Corps members, at the discretion of the Secretary.

“(2) ASSISTANCE IN ESTABLISHING PROFESSIONAL RELATIONSHIPS.—In providing such assistance under paragraph (1), the Secretary shall focus on establishing relationships with hospitals, with academic medical centers and health professions schools, with area health education centers under section 751, with health education and training centers under section 752, and with border health education and training centers under such section 752. Such assistance shall include assistance in obtaining faculty appointments at health professions schools.

“(3) SUPPLEMENT NOT SUPPLANT.—Such efforts under this subsection shall supplement, not supplant, non-government efforts by professional health provider societies to establish and maintain professional relationships and development opportunities.”.

SEC. 4. REAUTHORIZATION OF RURAL HEALTH CARE PROGRAMS.

Section 330A(j) of the Public Health Service Act (42 U.S.C. 254c(j)) is amended by striking “\$40,000,000” and all that follows and inserting “\$45,000,000 for each of fiscal years 2008 through 2012.”.

NOTICES OF HEARINGS

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. LEVIN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs will continue its hearing entitled, “Tax Haven Banks and U.S. Tax Compliance” on Friday, July 25, 2008, to call Peter S. Lowy as a witness. Mr. Lowy was originally scheduled to be a witness at the subcommittee’s July 17 hearing. The subcommittee hearing will continue to examine how financial institutions located in offshore tax ha-

vens, including Liechtenstein and Switzerland, may be engaged in banking practices that could facilitate, and in some instances have resulted in, tax evasion and other misconduct by U.S. clients. The hearing will also continue to examine how U.S. domestic and international tax enforcement efforts could be strengthened. The subcommittee issued a staff report on July 17 summarizing its investigative findings.

The subcommittee hearing is scheduled for Friday, July 25, 2008, at 9:30 a.m., in Room 342 of the Dirksen Senate Office Building. For further information, please contact Elise Bean of the Permanent Subcommittee on Investigations at 224-9505.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. LEVIN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs will hold a hearing entitled, “Payroll Tax Abuse: Businesses Owe Billions and What Needs To Be Done About It.” The subcommittee hearing will examine the magnitude of outstanding payroll tax debt, the policies and procedures that are used to collect unpaid payroll taxes, and whether some businesses are engaged in abusive or potentially criminal activities with regard to the payment of payroll taxes. The subcommittee will release a Government Accountability Office, GAO, report entitled, “Tax Compliance: Businesses Owe Billions in Federal Payroll Taxes.” Witnesses for the upcoming hearing will include representatives from the Government Accountability Office and the Internal Revenue Service. A final witness list will be available Friday, July 25, 2008.

The subcommittee hearing is scheduled for Tuesday, July 29, 2008, at 9:30 a.m., in Room 342 of the Dirksen Senate Office Building. For further information, please contact Elise Bean of the Permanent Subcommittee on Investigations at 224-9505.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, July 31, 2008, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to conduct oversight on the state of the Nation’s transmission grid, as well as the implementation of the 2005 Energy Policy Act transmission provisions, including reliability, siting and infrastructure investment.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy

and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to Gina Weinstock@energy.senate.gov.

For further information, please contact Leon Lowery at (202) 224-2209 or Gina Weinstock at (202) 224-5684.

HEALTH CARE SAFETY NET ACT OF 2008

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 548, S. 901.

The PRESIDING OFFICER. The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (S. 901) to amend the Public Health Service Act to provide additional authorizations of appropriations for the health centers program under section 330 of such Act.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Health, Education, Labor and Pensions, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Health Care Safety Net Act of 2007”.

SEC. 2. COMMUNITY HEALTH CENTERS PROGRAM OF THE PUBLIC HEALTH SERVICE ACT.

(a) ADDITIONAL AUTHORIZATIONS OF APPROPRIATIONS FOR THE HEALTH CENTERS PROGRAM OF PUBLIC HEALTH SERVICE ACT.—Section 330(r) of the Public Health Service Act (42 U.S.C. 254b(r)) is amended by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—For the purpose of carrying out this section, in addition to the amounts authorized to be appropriated under subsection (d), there are authorized to be appropriated—

- “(A) \$2,213,020,000 for fiscal year 2008;
- “(B) \$2,451,394,400 for fiscal year 2009;
- “(C) \$2,757,818,700 for fiscal year 2010;
- “(D) \$3,116,335,131 for fiscal year 2011; and
- “(E) \$3,537,040,374 for fiscal year 2012.”.

(b) STUDIES RELATING TO COMMUNITY HEALTH CENTERS.—

(1) DEFINITIONS.—For purposes of this subsection—

(A) the term “community health center” means a health center receiving assistance under section 330 of the Public Health Service Act (42 U.S.C. 254b); and

(B) the term “medically underserved population” has the meaning given that term in such section 330.

(2) SCHOOL-BASED HEALTH CENTER STUDY.—

(A) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall issue a study of the economic costs and benefits of school-based health centers and the impact on the health of students of these centers.

(B) CONTENT.—In conducting the study under subparagraph (A), the Comptroller General of the United States shall analyze—

(i) the impact that Federal funding could have on the operation of school-based health centers;

(ii) any cost savings to other Federal programs derived from providing health services in school-based health centers;

(iii) the effect on the Federal Budget and the health of students of providing Federal funds to school-based health centers and clinics, including the result of providing disease prevention and nutrition information;

(iv) the impact of access to health care from school-based health centers in rural or underserved areas; and

(v) other sources of Federal funding for school-based health centers.

(3) HEALTH CARE QUALITY STUDY.—

(A) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this Act as the “Secretary”), acting through the Administrator of the Health Resources and Services Administration, and in collaboration with the Agency for Healthcare Research and Quality, shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes agency efforts to expand and accelerate quality improvement activities in community health centers.

(B) **CONTENT.**—The report under subparagraph (A) shall focus on—

(i) Federal efforts, as of the date of enactment of this Act, regarding health care quality in community health centers, including quality data collection, analysis, and reporting requirements;

(ii) identification of effective models for quality improvement in community health centers, which may include models that—

(I) incorporate care coordination, disease management, and other services demonstrated to improve care;

(II) are designed to address multiple, co-occurring diseases and conditions;

(III) improve access to providers through non-traditional means, such as the use of remote monitoring equipment;

(IV) target various medically underserved populations, including uninsured patient populations;

(V) increase access to specialty care, including referrals and diagnostic testing; and

(VI) enhance the use of electronic health records to improve quality;

(iii) efforts to determine how effective quality improvement models may be adapted for implementation by community health centers that vary by size, budget, staffing, services offered, populations served, and other characteristics determined appropriate by the Secretary;

(iv) types of technical assistance and resources provided to community health centers that may facilitate the implementation of quality improvement interventions;

(v) proposed or adopted methodologies for community health center evaluations of quality improvement interventions, including any development of new measures that are tailored to safety-net, community-based providers;

(vi) successful strategies for sustaining quality improvement interventions in the long-term; and

(vii) partnerships with other Federal agencies and private organizations or networks as appropriate, to enhance health care quality in community health centers.

(C) **DISSEMINATION.**—The Administrator of the Health Resources and Services Administration shall establish a formal mechanism or mechanisms for the ongoing dissemination of agency initiatives, best practices, and other information that may assist health care quality improvement efforts in community health centers.

(4) **GAO STUDY ON INTEGRATED HEALTH SYSTEMS MODEL FOR THE DELIVERY OF HEALTH CARE SERVICES TO MEDICALLY UNDERSERVED POPULATIONS.**—

(A) **STUDY.**—The Comptroller General of the United States shall conduct a study on integrated health system models at not more than 10 sites for the delivery of health care services to medically underserved populations. The study shall include an examination of—

(i) health care delivery models sponsored by public or private non-profit entities that—

(I) integrate primary, specialty, and acute care; and

(II) serve medically underserved populations; and

(ii) such models in rural and urban areas.

(B) **REPORT.**—Not later than 1 year after the date of the enactment of this Act, the Com-

troller General of the United States shall submit to Congress a report on the study conducted under subparagraph (A). The report shall include—

(i) an evaluation of the models, as described in subparagraph (A), in—

(I) expanding access to primary and preventive services for medically underserved populations; and

(II) improving care coordination and health outcomes; and

(ii) an assessment of—

(I) challenges encountered by such entities in providing care to medically underserved populations; and

(II) advantages and disadvantages of such models compared to other models of care delivery for medically underserved populations.

SEC. 3. NATIONAL HEALTH SERVICE CORPS.

(a) **FUNDING.**—

(1) **NATIONAL HEALTH SERVICE CORPS PROGRAM.**—Section 338(a) of the Public Health Service Act (42 U.S.C. 254k(a)) is amended by striking “2002 through 2006” and inserting “2008 through 2012”.

(2) **SCHOLARSHIP AND LOAN REPAYMENT PROGRAMS.**—Section 338H(a) of the Public Health Service Act (42 U.S.C. 254g(a)) is amended by striking “appropriated \$146,250,000” and all that follows through the period and inserting the following: “appropriated—

“(1) for fiscal year 2008, \$131,500,000;

“(2) for fiscal year 2009, \$143,335,000;

“(3) for fiscal year 2010, \$156,235,150;

“(4) for fiscal year 2011, \$170,296,310; and

“(5) for fiscal year 2012, \$185,622,980.”

(b) **ELIMINATION OF 6-YEAR DEMONSTRATION REQUIREMENT.**—Section 332(a)(1) of the Public Health Service Act (42 U.S.C. 254e(a)(1)) is amended by striking “Not earlier than 6 years” and all that follows through “purposes of this section.”

(c) **ASSIGNMENT TO SHORTAGE AREA.**—Section 333(a)(1)(D)(ii) of the Public Health Service Act (42 U.S.C. 254f(a)(1)(D)(ii)) is amended—

(1) in subclause (IV), by striking “and”;

(2) in subclause (V), by striking the period at the end and inserting “; and”;

(3) by adding at the end the following:

“(VI) the entity demonstrates willingness to support or facilitate mentorship, professional development, and training opportunities for Corps members.”

(d) **PROFESSIONAL DEVELOPMENT AND TRAINING.**—Subsection (d) of section 336 of the Public Health Service Act (42 U.S.C. 254h–1) is amended to read as follows:

“(d) **PROFESSIONAL DEVELOPMENT AND TRAINING.**—

“(1) **IN GENERAL.**—The Secretary shall assist Corps members in establishing and maintaining professional relationships and development opportunities, including by—

“(A) establishing appropriate professional relationships between the Corps member involved and the health professions community of the geographic area with respect to which the member is assigned;

“(B) establishing professional development, training, and mentorship linkages between the Corps member involved and the larger health professions community, including through distance learning, direct mentorship, and development and implementation of training modules designed to meet the educational needs of offsite Corps members;

“(C) establishing professional networks among Corps members; or

“(D) engaging in other professional development, mentorship, and training activities for Corps members, at the discretion of the Secretary.

“(2) **ASSISTANCE IN ESTABLISHING PROFESSIONAL RELATIONSHIPS.**—In providing such assistance under paragraph (1), the Secretary shall focus on establishing relationships with hospitals, with academic medical centers and

health professions schools, with area health education centers under section 751, with health education and training centers under section 752, and with border health education and training centers under such section 752. Such assistance shall include assistance in obtaining faculty appointments at health professions schools.

“(3) **SUPPLEMENT NOT SUPPLANT.**—Such efforts under this subsection shall supplement, not supplant, non-government efforts by professional health provider societies to establish and maintain professional relationships and development opportunities.”

SEC. 4. REAUTHORIZATION OF RURAL HEALTH CARE PROGRAMS.

Section 330A(j) of the Public Health Service Act (42 U.S.C. 254c(j)) is amended by striking “\$40,000,000” and all that follows and inserting “\$45,000,000 for each of fiscal years 2008 through 2012.”

Amend the title so as to read: “A bill to amend the Public Health Service Act to reauthorize the Community Health Centers program, the National Health Service Corps, and rural health care programs.”

Mr. DURBIN. I ask unanimous consent that the substitute amendment, which is at the desk, be agreed to; the committee substitute, as amended, be agreed to; the bill, as amended, be read a third time and passed; the amendment to the title be agreed to; and the motions to reconsider be laid upon the table, with no interviewing action or debate; and that any statements related to the bill be printed in the RECORD.

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

The amendment (No. 5088), was agreed to.

(The amendment is printed in today’s RECORD under “Text of Amendments”.)

The Committee amendment, as amended, was agreed to.

The bill (S. 901), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended so as to read:

A bill to amend the Public Health Service Act to reauthorize the Community Health Centers program, the National Health Service Corps, and rural health care programs.

PAROLE COMMISSION EXTENSION ACT OF 2008

Mr. DURBIN. I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3294, introduced earlier today by Senators LEAHY and SPECTER.

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

The assistant legislative clerk read as follows:

A bill (S. 3294) to provide for the continued performance of the functions of the United States Parole Commission.

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

Mr. LEAHY. Madam President, I am pleased the Senate will unanimously pass the United States Parole Commission Act of 2008, a bill Senator SPECTER and I introduced that will extend the life of the U.S. Parole Commission by 3 years. Without quick action by Congress, the Commission will expire on

October 31, 2008. Senate passage is an important first step to ensure this does not happen.

The U.S. Parole Commission is responsible for granting or denying parole for incarcerated Federal and DC prisoners who were sentenced before the Federal and DC governments abolished parole. The Commission was created and empowered to consider the requests of these "old law" Federal and DC inmates, but it also has jurisdiction over DC offenders who are on supervised release from prison.

Originally slated to expire in 1992, Congress has extended the life of the Commission four times. Another extension is necessary to ensure the orderly administration of the law, and to avoid the risk of premature release of offenders. If the authorization lapses, the law requires the Commission to set release dates for all parole-eligible Federal prisoners. In addition, there is no mechanism to handle DC parolees who are on supervised release from prison.

A limited extension will avoid these potential problems, and will give the Justice Department time to evaluate whether any changes to the Commission are necessary.

I urge the House to work quickly to pass this bill and send it to the President so that it can be effective before the Commission's authorization expires in October.

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

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

The bill (S. 3294) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3294

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 "United States Parole Commission Extension Act of 2008".

SEC. 2. AMENDMENT OF SENTENCING REFORM ACT OF 1984.

For purposes of section 235(b) of the Sentencing Reform Act of 1984 (18 U.S.C. 3551 note; Public Law 98-473; 98 Stat. 2032), as such section relates to chapter 311 of title 18, United States Code, and the United States Parole Commission, each reference in such section to "21 years" or "21-year period" shall be deemed a reference to "24 years" or "24-year period", respectively.

EXECUTIVE SESSION

PROTOCOL OF AMENDMENTS TO CONVENTION ON INTERNATIONAL HYDROGRAPHIC ORGANIZATION

INTERNATIONAL CONVENTION AGAINST DOPING IN SPORT

Mr. DURBIN. I ask unanimous consent that the Senate proceed to execu-

tive session to consider the following treaties on the Executive Calendar: Nos. 10 and 11, and that the treaties be considered as having advanced to the various parliamentary stages up to and including the presentation of the resolutions of ratification; that any committee understanding, declaration, or condition be agreed to as applicable; that any statements be printed in the RECORD; and that the Senate take one vote on the resolutions of ratification to be considered as separate votes; further, that when the resolutions of ratification are voted on, the motions to reconsider be considered made and laid on the table, the President be immediately notified of the Senate's action, and the Senate resume legislative session, all without intervening action or debate.

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

The treaties and protocol will be considered to have passed through their various parliamentary stages, up to and including the presentation of the resolutions of ratification.

Mr. DURBIN. I ask for a division vote on the resolutions of ratification.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the resolutions of ratification of these treaties will rise and stand until counted.

Those opposed will rise and stand until counted.

On a division, two-thirds of the Senators present having voted in the affirmative, the resolutions of ratification are agreed to.

The resolutions of ratification agreed to are as follows:

TREATIES

[Protocol of Amendments to Convention on International Hydrographic Organization (Treaty Doc. 110-9)]

Resolved (two-thirds of the Senators present concurring therein), The Senate advises and consents to the ratification of the Protocol of Amendments to the Convention on the International Hydrographic Organization done at Monaco on April 14, 2005 (Treaty Doc. 110-9).

[International Convention Against Doping in Sport (Treaty Doc. 110-14)]

Resolved (two-thirds of the Senators present concurring therein),

Section 1. Senate Advice and Consent subject to an understanding, a declaration, and a condition.

The Senate advises and consents to the ratification of the International Convention Against Doping in Sport (the "Convention"), adopted by the United Nations Educational, Scientific, and Cultural Organization on October 19, 2005 (Treaty Doc. 110-14; EC 6772), subject to the understanding of section 2, the declaration of section 3, and the condition of section 4.

Section 2. Understanding.

The advice and consent of the Senate under section 1 is subject to the following understanding, which shall be included in the United States instrument of ratification:

It is the understanding of the United States of America that nothing in this Convention obligates the United States to provide funding to the World Anti-Doping Agency.

Section 3. Declaration.

The advice and consent of the Senate under section 1 is subject to the following declaration, which shall be included in the United States instrument of ratification:

Pursuant to Article 2(4), which defines "Athlete" for purposes of doping control as "any person who participates in sport at the international or national level as defined by each national anti-doping organization and accepted by States Parties and any additional person who participates in a sport or event at a lower level accepted by States Parties", the United States of America declares that "Athlete" for purposes of doping control means any athlete determined by the U.S. Anti-Doping Agency to be subject to or to have accepted the World Anti-Doping Code.

Section 4. Condition.

The advice and consent of the Senate under section 1 is subject to the following condition:

Not later than 60 days after an amendment to either of the Annexes that was concluded in accordance with the specific amendment procedure in Article 34 enters into force for the United States, the Secretary of State shall transmit the text of the amended Annex to the Committee on Foreign Relations and the Committee on the Judiciary of the Senate.

ORDERS FOR TUESDAY, JULY 22, 2008

Mr. DURBIN. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. tomorrow, Tuesday, July 22; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of the motion to proceed to S. 3268, the energy speculation bill, as under the previous order. I further ask that the Senate recess from 12:30 to 2:15 p.m. tomorrow to allow for the weekly caucus luncheons to meet. Finally, I ask that if cloture is invoked, the postcloture debate time from 2:15 p.m. until 6:15 p.m. be equally divided and controlled in 30-minute alternating blocks of time, with the majority controlling the first 30 minutes and the Republicans controlling the next 30 minutes.

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

PROGRAM

Mr. DURBIN. For the information of Senators, shortly after 11 a.m. tomorrow, the Senate will proceed to a roll-call vote on the motion to invoke cloture on the motion to proceed to the energy speculation bill.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. DURBIN. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:54 p.m., adjourned until Tuesday, July 22, 2008, at 10 a.m.