

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Dorrance Smith to be Assistant Secretary of Defense.

Bill Frist, Lamar Alexander, Mike Crapo, Jim Bunning, Richard Burr, Wayne Allard, Johnny Isakson, Richard Shelby, Craig Thomas, Ted Stevens, David Vitter, James Inhofe, Chuck Hagel, Norm Coleman, Mike DeWine, R.F. Bennett, John Thune.

NOMINATION OF PETER CYRIL WYCHE FLORY, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE

The PRESIDING OFFICER. The clerk will report the next nomination.

The legislative clerk read the nomination of Peter Cyril Wyche Flory, of Virginia, to be an Assistant Secretary of Defense.

CLOTURE MOTION

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

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Peter Cyril Wyche Flory to be an Assistant Secretary of Defense.

Bill Frist, Lamar Alexander, Mike Crapo, Jim Bunning, Richard Burr, Wayne Allard, Johnny Isakson, Richard Shelby, Craig Thomas, Ted Stevens, David Vitter, James Inhofe, Chuck Hagel, Norm Coleman, Mike DeWine, Robert F. Bennett, John Thune.

Mr. FRIST. Mr. President, for clarification, I just filed cloture on four defense nominations that have been pending since last year.

LEGISLATIVE SESSION

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now return to legislative session.

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

MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that there now be a period for morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

REMEMBERING MARGO CARLISLE

Mr. COCHRAN. Mr. President, yesterday was a sad day for me because it

was the day when friends and family of Margo Carlisle, my former chief of staff, gathered to bid her farewell.

Margo worked faithfully in a number of positions of responsibility here in the Senate. She was the first female staff director of the Senate Republican Conference, under the chairmanship of former Senator Jim McClure of Idaho. She was my chief of staff from 1991 to 1997. All who worked with her here know of her respect and appreciation for the Senate, and her conscientious devotion to our great country.

She served as Assistant Secretary of Defense for Legislative Affairs from 1986 to 1989, and at that time, she was one of the highest ranking women in the Department of Defense. She received the Distinguished Public Service Medal in recognition of her outstanding performance of duty in this important office.

She also served as vice president of the Heritage Foundation, president of the Philadelphia Society, and was a member of the board of the Marine Corps University in Quantico and the Washington Home Hospice.

She is survived by her husband of 45 years, Miles; and two children, Mary "Nisi" Hamilton of Bethesda and Tristram Coffin Carlisle of Alexandria. We extend to them our sincerest condolences.

THE OIL AND GAS INDUSTRY ANTITRUST ACT OF 2006

Mr. LEAHY. Mr. President, I am proud to join with Senators SPECTER, KOHL, DEWINE and others on a new bill, the Oil and Gas Industry Antitrust Act of 2006, which includes, as its centerpiece, our NOPEC legislation, which many of us have worked together on for years.

This measure—The No Oil Producing And Exporting Cartels Act, NOPEC—would make OPEC accountable for its anticompetitive behavior and allow the Justice Department to crack down on illegal price manipulation by oil cartels. It will allow the Federal Government to take legal action against any foreign state, including members of OPEC, for price fixing and other anticompetitive activities. The tools this bill would provide to law enforcement agencies are necessary to immediately counter OPEC's anticompetitive practices, and these tools would help reduce gasoline prices now.

The Congress should pass this measure immediately instead of waiting until the price of gasoline at the pump is \$4 a gallon. OPEC has America over a barrel, and we should fight back. If OPEC were simply a foreign business engaged in this type of behavior, it would already be subject to American antitrust law. It is wrong to let OPEC producers off the hook just because their anticompetitive practices come with the seal of approval of this cartel's member nations.

It is time for the President to join the bipartisan majority in the Senate

which already said "NO" to OPEC by passing NOPEC and by sending it to the other body, where it was killed.

The Senate has already passed this bill, which would make OPEC subject to our antitrust laws. In fact, the Judiciary Committee has approved the NOPEC bill three times. Regrettably, even though President Bush promised in 2000 that he would "jawbone OPEC," the Bush administration and its friends in the House have scuttled the NOPEC bill and the direct and daily relief it would bring to millions of Americans.

In addition, this bill makes it unlawful to divert petroleum or natural gas products from their local market to a distant market with the primary intention of increasing prices or creating a shortage in a market. This solves a real problem where products are being shipped for sale in that market but are later diverted and sold for less in another market.

We have an obligation to address these and other issues caused by oil cartels and by greedy companies who have money—that they have extracted from the American people—to burn. That is why I am also pleased that the bill includes provisions to conduct several studies that address serious competition, information sharing, and other antitrust problem areas related to the oil and natural gas industries. The American people deserve answers, and this bill also provides a path to getting those answers.

Authorizing tough legal action against illegal oil price fixing, and taking that action without delay, is one thing we can do without additional obstruction or delay.

The artificial pricing scheme enforced by OPEC affects all of us, not the least of whom are hardworking Vermont farmers. The overall increase in fuel costs for an average Vermont farmer last year was 43 percent, meaning that each farmer is estimated to pay an additional \$700 in fuel surcharges in 2006 alone. Vermonters know what the terrible consequences of these high prices can be: forcing many farmers to make unfair choices between running their farms or heating their homes. No one should be forced to make these choices, certainly not our hard-working farmers.

In summary, this bill will provide law enforcement with the tools necessary to fight OPEC's anticompetitive practices immediately, and help reduce gasoline prices now. I urge my colleagues to support this bill, and to say "NO" to OPEC as we have done in the past.

NOMINATION OF MICHAEL A. CHAGARES

Mr. MENENDEZ. Mr. President, I rise in strong support of the nomination of Michael A. Chagares to be a Circuit Judge on the U.S. Court of Appeals for the Third Circuit.

It is an honor that another person from my home State of New Jersey has