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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 10, 2008.

I hereby appoint the Honorable ELLEN O. TAUSCHER to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

Major Matthew P. Franke, Chaplain, United States Air Force, offered the following prayer:

Lord God, Your word reminds each of us not to think of ourselves more highly than we ought because,

''We each have different gifts, according to the grace given us. If a man's gift is . . . service, let him serve; if teaching, let him teach; if encouraging, let him encourage; if it is contributing to the needs of others, let him give generously; if it is leadership, let him govern diligently.''

Lord, You have graced those who step foot in this Chamber today with leadership and the ability to govern. Enable them to ''govern diligently.''

Help each of us not to think of ourselves more highly than we ought. Instead, grant us the perspective to see our unique talents and abilities as Your unique gifts, given to serve those around us.

Bless our Nation and our service this day.

I ask this in the name of my Lord, Jesus Christ.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from California (Ms. SOLIS) come forward and lead the House in the Pledge of Allegiance.

Ms. SOLIS 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.

WELCOMING MAJOR MATTHEW P. FRANKE

The SPEAKER pro tempore. Without objection, the gentleman from South Carolina (Mr. INGLIS) is recognized for 1 minute.

There was no objection.

Mr. INGLIS of South Carolina. Madam Speaker, it is my privilege to recognize and welcome Major Matthew P. Franke as a chaplain who serves God and country with devotion, dedication, and honor.

Among his stations over his 14-year military career, he provided pastoral ministry and counseling across Iraq and Kuwait to more than 600 members of the Air Force serving with Army and Marine units in support of Operation Iraqi Freedom at Balad, Iraq.

He currently works in our office, the Fourth Congressional District of South Carolina, where he serves with distinction as a legislative liaison fellow, and we are privileged to have gotten to know him over the course of this year.

His family continues to live in Wyoming. He and his wife Martha have three sons, Micah, Joshua, and Jacob, and a particularly beautiful daughter, Rachel.

We very much appreciate his service in the Fourth Congressional District of South Carolina.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 10 further 1-minute speeches on each side of the aisle.

GREEN JOBS AND ECONOMIC GROWTH

(Ms. SOLIS asked and was given permission to address the House for 1 minute.)

Ms. SOLIS. Madam Speaker, there are many signs that our Nation's economy is struggling. However, the renewable energy and energy-efficiency sectors, you need to know, are booming. In 2006, the renewable energy and energy-efficiency sector generated 8.5 million jobs, nearly $1 trillion of revenue in the United States.

Jobs in these sectors are good paying, high-quality jobs that will stay in the United States. The Green Collar Jobs Act which was passed and signed into law by President Bush in 2007 will help train 10 million new workers.

Through this program, we can help provide incentives to underserved communities. In a time of economic turmoil marked by rising gasoline prices and even higher profits for oil companies, it is important that we support these sectors of our growing economy.

I urge Members of Congress to please support the Green Jobs program and incentivize those individuals who are seeking reform and new investments in our economy.

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ENERGY INDEPENDENCE ACT

(Mr. SHUSTER asked and was given permission to address the House for 1 minute.)

Mr. SHUSTER. Madam Speaker, last week I traveled across my district to talk about energy and announce my legislation, H.R. 6421, the Energy Independence Act. My district is fed up with what Congress has not done. It is time for us to do something when it comes to investing in domestic energy policy, and my legislation does just that.

Number one, it opens the Outer Continental Shelf to drilling. Two, it creates a tax credit to develop coal-to-liquid fuel technologies and projects. Three, it opens up ANWR and puts regulations and restrictions on it to make sure that ANWR is developed responsibly. Four, it creates an alternative energy trust fund to pay for renewables and alternative energies. And five, it streamlines the licensing process to allow for new nuclear power plants in our country.

Drilling alone will not earn us energy independence, but it is a critical step that we must do coupled with investment in alternative and renewable energies. Let's join together to begin to solve the energy problem in this country. Americans demand it; but more importantly, they deserve it.

BUSH ECONOMY

(Mrs. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. MALONEY of New York. Madam Speaker, the President can no longer deny that the labor market is in recession. June was the sixth straight month of job losses, and this year the economy has lost over half a million jobs in the private sector. We have 8.5 million unemployed Americans, more than at any other time since 2003.

High prices for gasoline and food are squeezing workers' pay. Real wages were lower in June than they have been since September 2006. The recovery rebates have been boosting consumption, and millions will benefit from the extension of unemployment benefits signed into law last week.

Clearly, we must stem the tide of rising job losses. We need a second stimulus package of infrastructure development and fiscal relief for our States.

SUPPORTING COLOMBIA'S MILITARY FORCES

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, last week three Americans, along with a dozen Colombian hostages held by FARC terrorists, were rescued by an elite team of Colombian soldiers. Included in the hostages was Ingrid Betancourt, a former candidate for president of Colombia; and three U.S. contractors, Keith Stansel, Marc Gonsalves, and Thomas Howes.

President Alvaro Uribe, Ambassador Carolina Barco, and the Colombia military are to be commended for this extraordinary and well-planned rescue.

I am grateful for the incredible effort the Colombian government has made to strike back at the FARC terrorist rebels and to bring greater stability and security to their country.

I have visited Colombia, two of my sons were exchange students in Cali, and I know firsthand the hard work necessary to curb the drug trade, terrorist activity, and build Colombia's economy. America has been working to build a stronger strategic partnership with the people of Colombia for economic prosperity, led by U.S. Ambassador William Brownfield.

In conclusion, God bless our troops, and we will never forget September the 11th.

CONGRATULATING TOM POWERS

(Mr. BRALEY of Iowa asked and was given permission to address the House for 1 minute.)

Mr. BRALEY of Iowa. Madam Speaker, I rise today to congratulate my friend, Tom Powers, on his retirement as lieutenant with the Waterloo Fire Department. Tom will be retiring after 28 years of service to the city of Waterloo.

Tom became a Waterloo fire rescue firefighter on November 5, 1979, after serving honorably in the United States Navy, specializing in hydraulic systems on fighter aircraft. Tom was promoted to lieutenant with the Waterloo Fire Department on April 3, 1989. He was a certified EMT and hazmat team member, and received the Mayor's Volunteer Award. He was also selected as the department's Firefighter of the Year in 1986.

Our firefighters represent the very best of our communities, and Tom is no exception. He has worked tirelessly for the safety of our residents, and we honor his bravery here today. Due to his unwavering dedication, he has served, he has helped, he has saved, and he has protected.

I am proud to represent Tom and the city of Waterloo in Congress, and I wish him the best in all of his future endeavors, and ask you to join me today in honoring one of our hometown heroes.

NUCLEAR POWER IS NEEDED

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Madam Speaker, according to the Energy Information Agency, the United States electricity demand is projected to increase up to 40 percent by the year 2030, and other countries are projecting similar increases. The rapid industrial development of both China and India is already placing great pressure on global energy supplies.

Nuclear energy can help meet this growing demand by providing a clean, abundant source of electricity. Other countries seem to understand the potential benefits of nuclear power and have either commenced constructing, or have developed projections for new nuclear power plants. Countries like China, India, and Russia are already building new nuclear power plants. Even smaller countries like Vietnam and countries in the Middle East have begun exploring nuclear power as they too are facing demand shortages and they are feeling the pressures from the industrialized world to reduce CO_2 emissions.

The time has come for all of us to remove regulatory impediments and allow nuclear energy to continue helping this country to meet its growing energy demands.

GETTING BACK TO THE BASICS

(Mr. KAGEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KAGEN. Madam Speaker, everywhere in Wisconsin and across the country, people are asking for help to reduce prices for their gasoline costs and their health care. Rural areas, like the district I represent in northeast Wisconsin, are affected most.

We need to work hard here in Congress to provide meaningful solutions to these problems. And our first step must be to solve our health care crisis by ending discrimination in health insurance everywhere; by saying if you are a citizen you are in; and if it is in your body, it should be covered; and by leveraging down insurance costs and creating the largest risk pool possible, and creating an open and transparent medical marketplace.

We must also design for the first time in this administration a meaningful national energy policy which includes three things: drilling for new oil across America with every single ounce of our oil sold only to U.S. citizens; investing in every source of renewable energy possible; and by preventing manipulation in the marketplace.

These efforts will get us back to the basics of becoming energy independent and a healthy Nation once again.

ENERGY AND AMERICAN AGRICULTURE

(Mr. LATTA asked and was given permission to address the House for 1 minute.)

Mr. LATTA. Madam Speaker, I have the honor of representing the number one agricultural district in Ohio. During the recess, I visited three family farms to find out what issues are on farmers' minds. After speaking with these farmers, they unanimously agreed that the rising cost of energy is

the number one issue facing American agriculture.

Diesel and fertilizer are just two of the petroleum-based products a farmer uses each day. And as the costs of these products rise, their livelihoods continue to be jeopardized.

One beef farmer told me as of right now, he is preparing to lose money on his cattle when they go to slaughter later this year because of the rising cost of oil. He added that he wasn't even sure he would even have a herd next year. All of the farmers agreed that two ways to lower energy prices and reduce our dependence on Middle East oil would be to drill in ANWR and also off the Outer Continental Shelf.

Unless something is done soon, more and more farmers will be forced to make the hard choice of whether or not to continue their livelihood of feeding Americans and the rest of the world.

HONORING JEROME KOHLBERG, JR.

(Ms. HOOLEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. HOOLEY. Madam Speaker, I rise to honor a great American. Jerome Kohlberg, Jr., was born on July 10, 1925. Although he is from New York, his mother was born in Portland, Oregon, and Jerome Kohlberg has always maintained close ties to my State.

Few Americans have been as successful as Jerome Kohlberg, Jr. As a founder of Kohlberg, Kravis & Roberts, one of the world's largest private equity firms, Jerome Kohlberg has been one of this Nation's preeminent financiers for more than four decades.

After service as a lieutenant in the U.S. Navy, Jerome Kohlberg earned three college degrees under the original GI bill. This past year, Jerome Kohlberg became deeply involved in the fight for a new GI bill for this generation of veterans. He established the Fund For Veterans' Education, a program to provide college funding for returning veterans from all 50 States. His idea—and with the recent passage of the new GI bill, it proved to be a brilliant idea—was to establish a model for what could be done for today's veterans.

He is a role model for all citizens young and old. I am pleased and proud to note the accomplishment of this great American, Jerome Kohlberg, Jr.

□ 1015

HEROES' HOMECOMING ACT

(Mr. TIM MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. TIM MURPHY of Pennsylvania. Madam Speaker, yesterday I introduced H.R. 6446, the Heroes' Homecoming Act, which requires U.S. carriers to do what Congress has asked them to do twice: offer the lowest available airfare for active duty military trying to return home to their loved ones.

Sometimes active duty servicemembers don't have the luxury of knowing far in advance of when they will be able to leave, oftentimes having less than 24-hours' notice. And purchasing an airline ticket to get home can cost a family a fortune. Our troops deserve better, and Congress has twice asked airlines to give more flexibility for lower airfares for active servicemen and women. I have heard this over and over from soldiers that the airlines are not doing this.

When airlines have come to Congress asking for help with massive bailouts, we helped. Now it's time for airlines to help our most deserving brave men and women who protect our Nation and our Nation's skies.

I urge my colleagues to join me in supporting our troops and our families by cosponsoring the Heroes' Homecoming Act and help our soldiers get better fares when they're returning home.

THE ROLE IMMIGRANTS HAVE SERVED IN SERVING OUR ARMED FORCES

(Mr. BACA asked and was given permission to address the House for 1 minute.)

Mr. BACA. Madam Speaker, immigrants have served in our Armed Forces with courage and dignity since the Revolutionary War. Even today, they continue to defend our country's freedom. They've even earned the Congressional Medal of Honor, the Nation's highest military decoration. For example, Alfred Rascon, an undocumented immigrant during his service in the Vietnam War received the Medal of Honor for his courage and dedication to America.

Immigrants have also reached the highest ranks in the U.S. military. General John Shalikashvili, an immigrant from Poland who came to the United States after World War II, was a former chairman of the Joint Chiefs of Staff.

From 2002 to 2005, over 15,000 immigrants have served in our armed services and later completed their naturalization process. There are thousands of other success stories that we should honor. We cannot ignore these positive contributions and the unique and valuable functions that immigrants perform.

I urge my colleagues to support a comprehensive immigration reform on behalf of those servicemen and women and their families.

CONGRESS NEEDS TO PUT ALL ENERGY OPTIONS ON THE TABLE

(Mr. WALBERG asked and was given permission to address the House for 1 minute.)

Mr. WALBERG. Madam Speaker, this past weekend I met a single mother in my South Central Michigan district who drives an hour each way to the hospital where she works. Because of high gas prices, this woman recently requested and received permission to begin working back-to-back 8-hour shifts 2 days per week so she doesn't have to make the hour-long commute each day. Unfortunately, situations like these are becoming more and more common as gas prices continue to rise and congressional leadership continues to resist action.

High gas prices demand action from Congress, and we need to put all energy options on the table. We need more production of American energy, more energy from alternative fuel sources, and increases in innovative solutions like coal-to-liquids technology. Just as with the Manhattan Project or the race to the Moon, breaking our dependence on foreign oil should be a national priority. Unfortunately, House leadership will not even let this House vote on an energy plan that increases American energy production. Important bills like the No More Executions Energy Act are ready to help American families. And my constituents, Madam Speaker, call for a vote on these bills now.

DEMOCRATS ARE URGING THE RELEASE OF OIL FROM THE STRATEGIC PETROLEUM RESERVE TO LOWER GAS PRICES

(Mr. CARNAHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARNAHAN. Madam Speaker, with record-high gas prices filling oil companies' wallets with record profits and pinching the wallets of American consumers, why isn't President Bush taking action to bring down prices at the pump now?

Democrats in Congress are urging the President to release oil from the Strategic Petroleum Reserve which will increase the supply of oil in the market, send a strong message to speculators, and most importantly, reduce gas prices today. This administration has used the Petroleum Reserve in the past, as have the administrations of both President Clinton and President Bush I. The reserve is currently 97 percent full, the highest level ever, with enough oil to meet our national security needs and provide relief at the pump.

So why, when Americans continue to feel the squeeze of devastatingly high gas prices, does the President not take action? Madam Speaker, President Bush continues to talk about new drilling. But his own administration says it can't be done for at least another decade.

Let's provide relief at the pump today by opening up America's Strategic Petroleum Reserve.

GAS PRICES

(Mr. SAM JOHNSON of Texas asked and was given permission to address

the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. The price of gasoline has spiked up $2 since the Democrats took control of the Congress in just January 2007. Americans want Democrats and Republicans to work together to find commonsense solutions to the skyrocketing cost of gasoline.

The United States must become energy self-sufficient. Oil, gas, coal, nuclear, solar, and wind, all of it. To bring down the price of gasoline, we must focus on increasing America's energy supply. Congress needs to act now to increase exploration and boost America's refinery capability.

Americans are ready for action. They want an up-or-down vote on energy independence. A Democrat aide is quoted in The Hill newspaper as saying, ''Right now, our strategy on gas prices is drive small cars and wait for the wind.''

If those are their only ideas, then, as the astronaut said when they were in orbit, Houston, we have a problem.

THIS CONGRESS HAS A RECORD TO BE PROUD OF IN SUPPORTING OUR TROOPS AND VETERANS

(Mr. ALTMIRE asked and was given permission to address the House for 1 minute.)

Mr. ALTMIRE. Madam Speaker, nobody can dispute that this Congress has a record to be proud of in support of our troops and our Nation's veterans. When we learned of the disgraceful treatment of our servicemen and women at Walter Reed, we took immediate action to provide the funding and oversight necessary to hire more case workers and improve the setting and treatment for our brave wounded warriors.

We acted quickly and decisively to provide the largest funding increase in the 78-year history of the VA, and we provided for increased screening and treatment of traumatic brain injury at every VA health care facility in this country.

We modernized and increased the benefits for the GI bill, and we provided additional loans and capital for small business owners who serve our Nation through the Guard and Reserve.

Madam Speaker, this Congress has a record to be proud of in supporting our troops and assisting our Nation's veterans.

CHILDHOOD OBESITY

(Mr. KELLER of Florida asked and was given permission to address the House for 1 minute.)

Mr. KELLER of Florida. Madam Speaker, I rise today to discuss the serious problem of childhood obesity. Two out of three adults in the United States are overweight. One out of three children are overweight. Childhood obesity rates have tripled since 1980. We're now seeing children diagnosed with Type 2 diabetes, heart disease, and depression.

I approach this subject with a great deal of optimism and hope as someone who has lost 100 pounds over the past year. I have seen firsthand the power of healthy habits. As parents, experts tell us that there are three healthy habits our children should follow every day. First, never skip breakfast; second, play outside 1 hour a day; third, eat five servings of fruits and vegetables every day.

The good news is that no matter what has happened in the past, all of our kids can enjoy healthy and happy lives in the future.

FREE AMERICA'S OIL

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Madam Speaker, Americans all over the country want us to do something about gas prices, and every Member in this House wants us to do something about gas prices, too. The Republicans have one strategy. It would bring relief at the pump about 20 years from now, a couple of pennies a gallon. That's their approach.

Democrats have a different approach. We want to free America's oil. We can release oil from the Strategic Petroleum Reserve. We now have 700 million barrels of oil in that. We don't need them. We can drive the price down in the market. We can force the gas companies, the energy companies, as we have tried to do already, to drill on the 68 million acres worth of leases they already own to produce oil.

Finally, we can open up the 23-million-acre Alaskan National Petroleum Reserve area where there are proven oil reserves and where they are eligible for drilling right now. We have the tools at our disposal immediately to drive down gas prices. We ought to take advantage of them.

Free America's oil.

IRAQ URANIUM SHIPMENT NOW IN SAFE HANDS

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Madam Speaker, more good news out of Iraq. The AP recently reported that U.S. forces, in cooperation with Iraqi authorities, have just completed a top secret operation that involved shipping 550 metric tons of uranium yellowcake out of Iraq from a cache discovered there. This stockpile of concentrated natural uranium, which is a seed material for higher-grade uranium enrichment, was shipped out of Iraq aboard U.S. cargo planes, then shipped across two oceans, finally arriving in Canada where it will be used by a Canadian firm for nuclear power.

The operation was an important step in ridding Iraq of the last vestiges of Saddam Hussein's one-time nuclear program, and it removed the uranium from the possibility of falling into the hands of insurgents or smugglers crossing into Iran to sell it for use in producing nuclear weapons. This issue certainly has not received much attention in the mainstream press, but it is important news the American people should know.

THE THREE E'S TO GAS RELIEF: EXPLORE, ELIMINATE, AND ENCOURAGE ALTERNATIVES

(Mr. PERLMUTTER asked and was given permission to address the House for 1 minute.)

Mr. PERLMUTTER. Good morning, Madam Speaker. And you know, I have been listening to the complaints by the Republicans about gas prices, but with two oil men in the White House, is it any wonder that oil per barrel has gone from $30 dollars to almost $150 driving gas prices through the roof? The question is, what are we going to do about it? And I would say it's the three E's.

The first ''E'' is explore and extract from the 68 million acres that are under lease today in the United States. That's more oil than anything up in Alaska or in ANWR. So let's explore and extract.

The second ''E'' is to eliminate the gouging and the speculating and the hoarding that's going on in the marketplace.

And the third ''E,'' the most important ''E,'' is encourage alternatives and efficiency. We cannot be hooked to one commodity forever. We've learned our lesson. It's time to pursue alternatives. So this democratic Congress is doing just that, those three E's: exploring, eliminating, and encouraging alternatives.

OPEN UP AMERICAN SOURCES OF OIL SUPPLY

(Mrs. BACHMANN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BACHMANN. Madam Speaker, we hear a lot about energy. I know I do as well. And the one thing that we know is that we're at a refreshing point of clarity in the energy debate. The reason for that is because the Democrat response has now become very clear.

A leadership aide said this week that the Democrat plan is to have the American people drive small cars and wait for the wind. That is one plan. If the Democrats want the American people to drive less and pay more, that's one plan.

Another plan that the Republicans have been pushing is to make sure that we open up Americans sources of supply. Our goal is to see the American people paying $2 a gallon or less. It's entirely possible. Congress created this

problem, Congress can solve this problem. Open up American sources of supply and fast-track the permitting process, take away the artificial timelines; we can begin drilling immediately, which is what the American people are demanding, and we can get gasoline prices back down to $2 a gallon or less and get the economy moving.

PROVIDING FOR CONSIDERATION OF H.R. 1286, WASHINGTON-ROCHAMBEAU REVOLUTIONARY ROUTE NATIONAL HISTORIC TRAIL DESIGNATION ACT

Mr. CARDOZA. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 1317 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1317

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1286) to amend the National Trails System Act to designate the Washington-Rochambeau Revolutionary Route National Historic Trail. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived except those arising under clause 10 of rule XXI. Notwithstanding clause 11 of rule XVIII, no amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. During consideration in the House of H.R.1286 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

□ 1030

The SPEAKER pro tempore. The gentleman from California is recognized for 1 hour.

Mr. CARDOZA. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Washington (Mr. HASTINGS). All time yielded during the consideration of the rule is for debate only.

GENERAL LEAVE

Mr. CARDOZA. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on House Resolution 1317.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CARDOZA. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, House Resolution 1317 provides for consideration of H.R. 1286, the Washington-Rochambeau Revolutionary Route National Historic Trail Designation Act, under a structured rule.

The rule provides 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources.

The rule makes in order two germane Republican amendments that were submitted for consideration and are printed in the Rules Committee report.

The rule also provides for the adoption of a germane Rules Committee amendment printed in part A of the Rules Committee report to clarify that the bill does not in any way limit access for hunting, fishing, trapping, or recreational shooting along the trail.

The rule waives all points of order against consideration of the bill, except for clauses 9 and 10 of rule XXI.

And, finally, the rule provides for one motion to recommit, with or without instructions.

Madam Speaker, the bill before us today, H.R. 1286, amends the National Trails System Act to designate the Washington-Rochambeau Revolutionary Route National Historic Trail.

The trail extends approximately 600 miles, spanning nine States and the District of Columbia, tracing the routes taken by the armies under the command of General George Washington and French Count Rochambeau on their march from Newport, Rhode Island, to face the British forces under General Cornwallis at Yorktown, Virginia.

After meeting in Philipsburg, New York, the combined armies traveled through New Jersey, Pennsylvania, Delaware, Maryland, and the future District of Columbia before arriving in Virginia.

With a French fleet blocking the Chesapeake, barring British reinforcements from New York or a sea escape for Cornwallis' troops, the combined Continental and French armies' 3-week siege at Yorktown ended with General Cornwallis' surrender to General Washington on October 19, 1781.

Historians regard the Battle of Yorktown as one of the most decisive events in bringing an end to the American Revolution and the beginning of a new and independent Nation known as America.

H.R. 1286 is the carefully considered result of years of study by the National Park Service, which found that the trail is suitable and feasible for designation as a national historic trail.

I would add that H.R. 1286 includes specific language protecting private property rights, prohibiting the Federal Government from acquiring any land or interest in land without the consent of the owner.

In fact, the Park Service study found that ''no Federal acquisition of lands or interests in lands is proposed or anticipated.''

H.R. 1286 also states that nothing shall prohibit or hinder the development, conveyance, or transmission of energy along the trail.

Finally, there is a Rules Committee amendment to the bill that would clarify that Federal designation of the trail has no impact on State and local laws governing hunting, fishing, or trapping, or recreational shooting. This language is nearly identical to language that has already overwhelmingly passed the House of Representatives.

I would like to commend Chairman RAHALL and Mr. HINCHEY for bringing this widely supported legislation to the floor today so we can ensure that America's history is protected for future generations.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Speaker, I want to thank my good friend from California (Mr. CARDOZA) for yielding me the customary 30 minutes, and I yield myself as much time as I may consume.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Madam Speaker, last week on July 4, our country celebrated its 232nd birthday, and this week the liberal majority in the House of Representatives marks the worst record in our country's entire history when it comes to allowing open debate, following the rules, treating each Member with respect, and acting in an honest way.

When control of the U.S. House changed a year ago last January, Democrat leaders promised, they promised, Madam Speaker, the American people that they would run the most open and honest House in history. They've not

kept that promise. In fact, they've done the exact opposite of what they promised the American people.

Democrats have passed, to date, 59 closed rules, rules that prevent every single Representative from even being allowed to offer an amendment on the House floor. There are no amendments, Madam Speaker, allowed under a closed rule, as you know. That means open deliberation is nonexistent, and the bill is just forced through the House.

These 59 closed rules are more than any Congress in the history of the United States, and every time we have a closed rule in the future, and we will, this liberal Congress will be setting a new record.

The rule that the House is currently debating allows only two amendments to be offered by just two Members of the House. It closes off any opportunity for the other 433 Representatives to come to the floor and offer an amendment to modify or improve this legislation.

Even more egregious is the fact that the Rules Committee set a deadline of 10 a.m. last Tuesday for Members to file amendments they may wish to offer on this bill. Yet, it wasn't until 4 hours later, 2 p.m. on Tuesday, that the actual bill and report were filed in the House.

But this pales in comparison to the Rules Committee action regarding an amendment that Mr. BISHOP of Utah filed actually before the 10 a.m. Tuesday deadline.

Mr. BISHOP's amendment was aimed at protecting the second amendment rights of Americans along the new 600-mile trail that this bill would create. Instead of allowing Mr. BISHOP to offer his amendment on the House floor, the Democrat Rules Committee took Mr. BISHOP's amendment, altered it, then automatically added it to the bill without ever, ever consulting Mr. BISHOP. This is not only an offense to Mr. BISHOP, it is a threat to every Member in the House.

Because Democrat leaders refuse to allow open debate under an open rule on the House floor, Members have only one way to get an amendment looked at, and that is for them to offer and submit an amendment to the Rules Committee for advance review.

But now, Madam Speaker, it appears that all Members must be aware that the Rules Committee may take, co-opt, edit or otherwise pilfer and steal their amendments and ideas. Sadly, Representatives of this House may need to get a copyright on their amendments before submitting them to the Rules Committee.

Now, Madam Speaker, to many across America this may seem like legislative inside baseball or petty parliamentary quarrels. But what this is really about is that the Democrat leaders are breaking their promise to the American people to run the most open and honest House in history. Instead, they are running the most closed and unfair House in our Nation's history.

Yet, Madam Speaker, these broken promises should not distract us from the even more pressing matter on which Democrat leaders have also broken their promise. It was on April 24, 2006, that then-Minority Leader NANCY PELOSI issued a press release claiming that the House Democrats ''have a commonsense plan to help bring down skyrocketing gas prices.''

Two weeks later, in May 2006, NANCY PELOSI said that the Democrats have ''real solutions'' that would ''lower the price at the pump.''

NANCY PELOSI has now been Speaker of the House for over 18 months, and this plan, this promised plan, is nowhere to be seen. Gas prices continue to set record highs, and this House has been and continues to be blocked from voting on legislation that would lower gas prices by producing more American-made energy.

Today, instead of voting on legislation to lower gas prices, the House is debating the bill to create a new 600-mile long scenic trail recognizing the Revolutionary War.

Speaker PELOSI and other liberal leaders who control this House may oppose drilling in Alaska or offshore, they may oppose more nuclear power, they may oppose hydropower dams, and they may oppose other ways of making more American-made energy—and holding these positions, of course, is their right as Members of this House—but they should not, Madam Speaker, have the right to block the House from even having a debate and a vote on this important issue.

Record gas prices are hurting Americans. It's hurting families. It's hurting seniors on fixed incomes. It's hurting college students. It's hurting small business owners and their enterprises. It's hurting schools who have to figure out how and what services to reduce to afford gasoline for their school buses. Yet these liberal leaders of this House refuse to allow an open debate on ideas to lower gas prices. They continue to block votes on drilling for oil in America that will increase supply and lower prices at the pump.

Madam Speaker, our Nation needs to invest in more nuclear power. We need to invest in more clean and renewable hydropower, as well as wind and solar energy, and we need to foster development of biofuels, hydrogen fuel cell technology, and the invention of other potential clean energy products.

Yet, Madam Speaker, we must recognize the fact that gasoline and diesel cannot be replaced overnight. New technologies and energy sources take time, sometimes years or decades to fully develop. Our economy is dependent on oil for Americans to get to work, for food to go from the farmer's field to the grocery store, to get kids to school safely and back home, to deliver the mail, to fly airplanes, to operate construction equipment, for police to patrol neighborhoods, and ambulances to transport patients.

The price of gas has an enormous impact on the lives of Americans and families in every town, in every county, in every State in this country.

Madam Speaker, I spent last week visiting school districts and small businesses throughout my central Washington district.

□ 1045

I listened to the heavy impacts that gas prices are having on my constituents in Yakima, Wenatchee, Cashmere, Moses Lake, Orondo, Richland, Union Gap and Pasco. Madam Speaker, the message I heard was loud and clear, that Americans are hurting because of high gas prices and this Congress needs to act. Americans can't afford a Congress that does nothing to increase the supply of American-made energy. If there is price gouging, Madam Speaker, it must be fully prosecuted. If speculators are trying to unfairly profit, we must stop them, also. And yet we must also tap into America's enormous oil and gas reserves.

We have the resources right here in this country that can increase the supply of oil and reduce the price of gasoline at the pump, but our Nation's deep reserves have been put off-limits. With the national price of gas well over $4 a gallon—and it's over $4.29 a gallon in my district—Americans can't afford this off-limits policy any longer.

Madam Speaker, consider this: Alaska's ANWR region contains an estimated 10.4 billion barrels of oil; that's more than twice the proven reserves in the State of Texas. The oceans off America's coastline contain 240 trillion cubic feet of natural gas and 86 billion barrels of oil. Federal lands contain an estimated 31 billion barrels of oil. Simple economics tells us that the way to combat rising prices due to high demand is to increase the supply, and obviously it is to tap into these known resources. Yet proposals to increase American oil and gas production have faced years of opposition. Drilling in a tiny portion of ANWR in Alaska, for example, has been blocked since President Bill Clinton vetoed a like proposal back in 1995, and we are now paying the price.

It's time to stop saying no to solutions and start saying yes, not only to drilling for gas and oil, but to all parts of the answer, as I mentioned this previously, so let me repeat what I said earlier.

We need to license and build more American refineries. We need to expand wind, solar, hydrogen fuel cells and other new energy sources, reduce fuel blend mandates that increase costs, and invest more in nuclear and hydropower.

Now, Madam Speaker, it's interesting, some say we shouldn't bother because all of this will take years to produce results. Yet these same people claim that the answer is new Federal mandates, government control of the kind of car you want to drive and how far you can drive it, and pinning everything on the hope that a new technology breakthrough will eliminate

our dependence on oil. But Madam Speaker, that, too, takes time. But more importantly, such a course of action is not the American way, and it's a dangerous gamble that puts our economy at serious risk. We need to increase the supply of oil to decrease the price of gasoline, it's as simple as that. And we need to do it here in America. The longer we postpone producing more oil here, the longer we will pay higher gas prices.

Americans are hurting, and yet there is not a single solitary piece of legislation that this House will consider this entire week that even remotely relates to producing more American-made energy and lowering gas prices.

Americans are feeling the pain, and the liberal leaders of the House simply are not listening. They not only do nothing to help, but they block every attempt made to bring legislation to the floor that would help lower gas prices.

So, Madam Speaker, once again, I will attempt this morning to bring energy legislation to the House floor for debate and vote. If my colleagues will join me in defeating the previous question, I will move to amend the rule to allow a debate and vote on legislation that will help produce more American-made energy. The House apparently has time to debate the creation of the 600-mile trail about the Revolutionary War, so let's make time for the House to vote on solutions to lower gas prices.

Madam Speaker, with that, I reserve the balance of my time.

Mr. CARDOZA. Madam Speaker, my good friend, my colleague from Washington State, has once again leveled a litany of accusations and, as usual, the rhetoric does not equate with the reality that we see.

Let's take the attacks one by one. There were a total of five amendments submitted to this rule, all by Republicans. Three amendments were submitted by Mr. BISHOP of Utah, one by Mr. FLAKE of Arizona, and one by Mr. PEARCE of New Mexico. Two amendments were made in order, Bishop No. 1 and Pearce No. 4. Two amendments were not germane to the bill and ruled out of order by the Parliamentarian, Bishop No. 3 and Flake No. 5. The subject matter contained in amendment No. 2 by Representative BISHOP was already being addressed by a self-executing provision in the rule which was based on language previously adopted in this House by a vote of 416–5, rollcall vote 171, with all Republicans, including my good friend from Washington, voting in favor of the amendment.

Let me take this opportunity to clear up what must be a further misunderstanding on the part of my colleagues on the other side of the aisle.

Contrary to what my good friend, the gentleman from Washington, would have us believe, the amendment was not the modified Bishop amendment. And I can assure you that the Rules Committee did not hijack any portion of the amendment submitted by our good friend and former member of the Rules Committee, the gentleman from Utah (Mr. BISHOP). The provision in the rule was based on language passed on April 9, 2008 during consideration of H.R. 2016, the National Landscape Conservation System Act, and it was done to address a concern that a number of Members had about the bill. The amendment was offered by Mr. ALTMIRE of Pennsylvania, was adopted with an overwhelming rollcall vote, as I said before, with every Republican voting in favor of the amendment. If you don't take my word for it, I would be happy to share the Rules Committee report from that bill, which contains the text of the amendment. And I have copies of the section of the CONGRESSIONAL RECORD that contain the debate and the vote on the Altmire amendment.

I also want to point out that the self-executing language in the rule is not an unusual or unprecedented procedure. It was done numerous times when the other side was in the majority, as my good friend from California (Mr. DREIER) alluded to in committee testimony on Tuesday. It's a legitimate tool available to address concerns in a bill.

The amendment that we are self-executing is nearly identical to the Altmire language. The Rules Committee believes that this language improves the bill. And it is entirely reasonable to self-execute language with a track record of overwhelming bipartisan support in the House. Those Members who don't like the language are perfectly able to vote against the rule.

Now the question of gas prices. Certainly this is an important issue that has been addressed by this House a number of times. We have seen oil climb to record $145 a barrel, and we have also seen big oil companies continue to post record profits. Let's go over a few of the points that have happened in the past years.

The President signed into law legislation including landmark provisions to make cars and trucks more fuel efficient and to promote more affordable American biofuels. That all happened because we passed it in this House and provided leadership on this. The new fuel standards will reduce our oil consumption by 1.1 million barrels a day in 2020, one-half of the current U.S. imports from the Persian Gulf, and will save American families $700 to $1,000 per year at the pump.

The House also passed legislation to suspend the filling of the Strategic Petroleum Reserve. And just this week, the Speaker called on the President to unilaterally start releasing oil from the Strategic Petroleum Reserve in order to try and bring down the cost of oil on the world market, a very responsible proposal.

We have also voted to invest in home-grown American biofuels in the farm bill. We voted to provide tax incentives for renewable energies and energy efficiency and plug-in vehicles, and creating hundreds and thousands of green jobs. We further voted to reduce public transit fares for commuters pinched by the pump. We voted to crack down on oil price gouging, and in fact we're looking into more of that. We've directed the CFTC to use its full authority to curtail excessive speculation in the markets and other practices which may be distorting the energy market. In fact, the Ag Committee, as we speak, is meeting to look into this matter and plans another hearing tomorrow. We have voted to hold OPEC accountable for oil price fixing, and we have called on the repeal of subsidies to profit-rich Big Oil so we can invest in renewable energy futures.

Further, I think it's important for us, as Members, to look at who, in fact, is moving to block the lowering of our prices at the pump. A general blanket statement that we can make, that I have observed, is you put oil people in the White House and you can expect oil prices to go up. President Bush and Republicans have blocked virtually every step that we have tried to make to lower gas prices for the American people. Some of these steps have been:

Cracking down on oil price gouging, which was opposed by 140 Republicans the first time and 145 Republicans the second time, including all the Republican leadership.

The Democrats in the House proposed ''use it or lose it'' for oil companies holding permits and not drilling. There are 68 million acres that are available for lease right now and to be drilled upon. That use-it-or-lose-it provision that was sponsored by House Democrats was opposed by 176 Republicans.

The motion to hold OPEC accountable was opposed by 67 Republicans the first time and by 82 Republicans the second time, including most of the Republican leadership.

The proposal repealing subsidies to profit-rich oil companies and investing in renewable energy and energy efficiency was opposed by 174 Republicans, including every member of the Republican leadership.

Increasing Commodity Futures Trading Commission oversight authority to prevent manipulation of energy prices, which was in the farm bill, was opposed by 94 Republicans.

The Bush administration has vetoed or threatened to veto each and every one of these price control bills.

In addition, the Republicans have initially opposed suspending the Strategic Oil Petroleum Reserve. And while the President signed it into law, it was only after issuing veto threats.

The President vetoed the farm bill twice, which included the CFTC provisions and the historic investment in American biofuels.

I mention all these in the context of my good friend from Washington bringing up that Mr. Clinton vetoed in 1995 a bill that was put forward on energy. The Republican Party in this House is

still blaming President Clinton for problems 13 years after the fact when they have been in control of this House and the Presidency for the last 7½ years for the Presidency and almost 14 for this House before we took over in 2006. I think it's time for us to understand who truly has culpability with this energy crisis that is at hand today.

Madam Speaker, I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Speaker, my good friend from California mentioned CAFE standards as one solution to the problem. CAFE standards, by a law that was passed here, would not take place until 2020. We can drill and produce in ANWR before 2020.

My friend also said that I made a litany of accusations and that the facts don't match the rhetoric. Well, the fact is—and he didn't refute the fact—that we've had 59 closed rules, and that is unrefutable. And I also mentioned that there was not an energy bill on the floor of the House this week; that is also irrefutable.

Madam Speaker, I want to yield 4 minutes to a good friend from Utah, a former member of the Rules Committee, Mr. BISHOP.

Mr. BISHOP of Utah. Madam Speaker, I thank the gentleman from Washington for yielding.

Bill Veeck was an old baseball owner and entrepreneur who used to say, ''I don't ever break the rules, I just test their elasticity.'' Apparently the Democrats on the Rules Committee are doing that same standard of testing the elasticity. When the time for amendments to the Rules Committee was closed, I did have one that was filed that dealt with second amendment issues, the only one that dealt with second amendment issues. After the filing was closed, apparently Democrat staff then took that amendment, without public hearing, without any Member input, they amended that to leave the most important part of second amendment protection on the floor, and then introduced it as a self-executing rule.

Self-executing rules were originally intended for technical amendments only to help the process along, but more and more we see the Democrat Rules Committee using substantive amendments now under self-executing processes.

Now, in the good old days, I tried to get Chairman DREIER to do that for me, but he always said I had to give him my first born son, and it still had to be technical. I am willing to give the gentleman from California my first born son—actually, he's out of college now, it won't help me at all, but I'm still willing to do it if that's what it takes now to meet the process. But I realize, you're not breaking the rules, you're just testing the elasticity.

□ 1100

There are groups out there that rank Congressmen. There's even a fantasy congressional league that's out there. They give us all points for how many bills we introduce, committee assignments, amendments that are passed. I've known the pain of having a fantasy baseball team where half of the members were on the DL.

So I'm asking the gentleman from California if he would have the courtesy of calling these groups and letting them know that this self-executing rule that is now part of the bill was actually mine so I could get those points. Not because of me, mind you. I'm just worried about my friends who have me as part of their fantasy congressional team because I know you're just testing the elasticity of it. In fact, it was suggested that sometime in the future we should start copyrighting our amendments before we actually give them to the Rules Committee staff.

This is not necessarily the first time this has ever happened, as the gentleman from California mentioned. There was another lands bill where I introduced an amendment with the same topic that once again was redrafted, this time refiled with a Democrat as the sponsor of it and it did pass this House and I was happy to vote for that because it was a good idea. It was my idea, but it was still a good idea. But I realize you're just testing the elasticity of it.

I'm not saying you're stealing, mind you. I am not saying anyone is stealing. But John Stockton has called and wondered if his NBA steal record still exists. The Patriot coaches are wondering why they're in trouble. The 1919 Black Sox want their title back. And Henderson has actually discussed it because he could have beat Ty Cobb's record years earlier had he had these same techniques in line. In fact, to be honest with you, I had a softball game last night that we won and we are now 9–1. And I'm wondering if the gentleman would actually do another self-executing rule to make us 10–0. That would actually do something for me. And since we're pulling stuff out of thin air without committee assignments, without floor discussion, I think it would fit within the concept.

Now don't get me wrong. I'm not saying that we're doing all the work and someone else is taking the credit. Because we're used to that. We work with the Senate all the time. We understand how that works. But if indeed we are becoming the Puff Daddy of legislative efforts in here, I would suggest that if the Rules Committee really wants to do something to further discussion and actually do something positive to make it worth the 4-hour flight we had to come back here for this particular bill, why don't you take my Americans for American Energy Act and do a self-executing rule to put that in. At least that would be a meaningful discussion that we would have on the floor of a meaningful bill and would make it worthwhile for us to come back here and finally start talking about something that is meaningful and useful for the American people.

Mr. CARDOZA. Madam Speaker, I would love to point out to the gentleman that there were a number of self-executing provisions put into bills while the current minority was in the majority in the 109th Congress. There were a total of 44 rules with self-executing provisions.

Let me read just a few examples of the self-executing rules that the Republicans did when they were in the majority just to show that this is not a unique practice:

H. Res. 75, the rule on H.R. 418, the REAL ID bill, self-executed major changes in the bill to gain votes on the bill and the rule.

H. Res. 151, the rule for an Iraq/Afghanistan/tsunami relief bill, self-executed the totally unrelated REAL ID bill to the supplemental after final passage.

H. Res. 248, a rule on the budget resolution conference report, self-executed a new budget point of order against appropriations bills in order to get the conservative Republicans to vote for the conference report.

H. Res. 258, a rule on the conference report on the Iraq/Afghanistan/tsunami emergency supplemental, contained a self-executing provision that authorized the Judiciary Committee to file a supplemental report on an extremely controversial report that had grossly mischaracterized votes taking place in the Judiciary Committee markup.

H. Res. 351, one rule, provided for separate consideration of four OSHA bills, each under a closed rule, and then self-executed language for two of the bills adopting the committee-reported substitutes. The rule also had a self-executing provision that combined all four bills into one text after passage of each bill separately.

H. Res. 365, a State Department authorization rule, self-executed an amendment that struck a section of the bill.

H. Res. 369, the PATRIOT Act reauthorization rule, made in order an entirely new substitute as base text.

H. Res. 387, a China trade rights enforcement rule, self-executed a new text that was considered under a closed rule.

Madam Speaker, I would suggest that my colleagues doth protest too much.

I would reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Speaker, we acknowledge that there is a practice of self-executing rules. That's been done. Principally they are done, however, on technical grounds but admittedly they are done on substantive pieces of legislation. But the fact is already in this Congress there have been more self-executed amendments by this Democrat Rules Committee than there was in the entire last Congress. Already. And we still have 6 months to go before this session is over.

With that, Madam Speaker, I would like to yield 3 minutes to my friend from California, the gentleman from

the Sacramento area, the former attorney general, Mr. LUNGREN.

Mr. DANIEL E. LUNGREN of California. I appreciate the gentleman allowing me to get in the midst of this intramural squabble here on the Rules Committee.

It seems like it was just the night before last that we came back to work this—well, it was just the night before last that we came back to work this week. And it seems like we just—well, we are just leaving. We came in the night before last to do business, we were here yesterday, we're here today, we're going to get out by, I guess, about 3 in the afternoon. Meanwhile, the people of the United States are suffering because we have no energy policy.

Now this political cartoon graphically states what it is. It says:

We demand you energy companies do something about high energy prices.

We can drill in ANWR.

Forget it.

How about offshore.

Are you crazy?

Clean coal.

Out of the question.

Nuclear power.

You're joking, right?

Don't just sit there, do something.

Well, that's what I'm asking this Congress to do. Don't just sit there, do something.

I thought that maybe what I believe is now called the Natural Resources Committee—it used to be called the Resources Committee—the Natural Resources Committee, I thought it had jurisdiction over ANWR. And I looked it up and it does. And I thought it had jurisdiction over offshore drilling. And I looked it up and it does. And I thought it had jurisdiction over coal on Federal lands. And I looked it up and it does. And I thought it had jurisdiction over tar sands and other kinds of resources, natural gas, offshore. And it does.

So what does it bring today? A bill that talks about a historic trail. We've waited 227 years to designate it as an historical trail. You would think we could wait a couple of more months and do something on energy.

Madam Speaker, I will not violate the rules of the House by asking for a show of hands in the galleries, because that would be out of order, but I suppose that if the people in the galleries were like the people in my two town halls last week, they would answer the same. When I asked them do you think we should drill in ANWR, about 75 to 80 percent said yes. When I asked them do you think we should start drilling offshore, about 75 to 80 percent said yes. When I asked them do you think we should lock up the greatest natural resource we have for energy in this country, coal—we're the Saudi Arabia of coal—they answered 75 to 80 percent no. Nuclear power. Over 50 percent are for it now. But this Congress does nothing about that. In fact, they have created self-fulfilling prophecies. They say, look, if we allow offshore drilling, it will take 10 years. Do you know why it would take 10 years?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman 2 additional minutes.

Mr. DANIEL E. LUNGREN of California. They set up the formula for failure. They make it a reality that it will take 10 years because of all of the extensive environmental requirements, the continued legal challenges, and if you know how the system works, you can actually make a decision by not making a decision. If you can in court ensure that no decision is finally made, no one is going to make the capital investment.

Our friends on the other side say, well, wait a second, we've got the answer. All we're going to do is make them drill with the leases they already have.

Now let's think about this. The oil companies pay millions, billions of dollars for leases and they're not looking for it? The fact of the matter is just because you have a lease which is a tract of land on a map, a line on a map, doesn't mean there's oil there. Actually some of the Democrats on the other side of the aisle have said this. They've said, our leadership doesn't understand the reality of drilling oil. And so what do they leave us with? They leave us with a policy which says drive small cars and wait for the wind. The gentleman from California says look at all we've done. We've forced Americans to drive smaller cars. That's the solution. We're waiting for wind. We can wait for a long time.

I'm for solar energy. I'm for wind. I'm for all of the above. But the fact of the matter is we have to do something on the supply side. And here we have a bill out of the committee that has jurisdiction on this very matter, the one that would get us started, and it doesn't bring forth this. It has brought forth a mouse in comparison to what we need in terms of our energy. All the American people are asking for is some sense of reality. We cannot suspend the laws of economics.

The gentleman from California says look at all the price controls that we have adopted. I have to say, it was a Republican President, President Nixon, who tried to use price controls in the seventies. It didn't work. It didn't work. At some point in time we have to understand that what we have to do is increase supply.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. HASTINGS of Washington. I yield the gentleman 1 additional minute.

Mr. DANIEL E. LUNGREN of California. And if we come to the floor with the committee of jurisdiction bringing us bills that have nothing to do with energy, what are the American people to say except that, Don't just sit there, do something. We are absolutely just sitting here and doing nothing. People back home are not waiting for 20 and 30 years. They're talking about what's happening now. It's not just the gas in their car. It is the cost of transportation embedded in everything. And it's going to get worse before it gets better.

This Congress should do something. It should act now. Act now. Maybe we could stay here longer than 2½ days to do something about energy for the American people who sent us here to do their work. Where's the 5-day workweek? Gone. Gone along with the opportunity to drill for oil and produce energy for the American people. Maybe they ought to pay attention to what's happening here on the floor of the House and insist that we do something. Drill here in the United States, not overseas. Produce here in the United States. Save America.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to not refer to or address occupants in the gallery.

Mr. CARDOZA. Madam Speaker, I would just like to observe once again that this Congress has approved and authorized 66 million acres for exploration and leasing throughout this country. Now, that may be hard for some folks to visualize that amount of property, so let's talk about it in something that people understand, the size of States.

Sixty-six million acres is virtually the size of New England, including New Jersey and Maryland and Delaware. That is the size of land that we have opened up to exploration. Can we do more? Possibly. Are there other alternatives? Absolutely. The Speaker this week proposed trying to bring down prices by opening up the Strategic Petroleum Reserve. That might actually bring down the cost of oil, and all we've gotten from the White House is a blanket ''absolutely not.''

Madam Speaker, there are a number of measures that this House has moved to try and bring down oil prices and bring relief to the American people. We started in our 6 for '06 with H.R. 6 that tried to bring down oil prices before it was ever even a crisis because we anticipated that this might be a problem. I would also suggest that it has been said that over 90 percent of the Bush-Cheney oil energy policy has been implemented by the prior 109th Congress and the Republican Congresses before that. Mr. Bush got 90 percent of what he wanted for American energy and we have this crisis. I submit to you what we need is a change at 1600 Pennsylvania Avenue to try and regain energy independence and with a change there we may just do that.

I will reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Speaker, how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Washington has 6 minutes remaining. The gentleman from California has 13½ minutes remaining.

Mr. HASTINGS of Washington. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Nebraska (Mr. TERRY).

□ 1115

Mr. TERRY. Thank you. I appreciate this opportunity.

My friend from California, I'd like to clarify a little bit. The 66 million acres are land that hasn't been authorized by Congress. In fact, the efforts by my friends on that side of the aisle was to take away that 66 million acres of already leased land. So I think the public needs to be clear on that aspect.

Yes, some of the Bush plan on energy has been implemented. The part, conveniently, that has been left out of presenting to the President for signature is the part that increases supply. It's the lack of supply that is causing problems for American families today, with the price at the pumps.

I have had several meetings with constituents who have told me their stories about how the high price of gasoline is literally taking food off of their tables and making them to make decisions about what they are taking away from their family in order to be able to get to work and back.

Our reliance on foreign energy is destroying this country, and we have to become independent, folks. We use 20 million barrels a day. Twenty million barrels of oil per day, most of which is refined into fuel that we use in travels. Over 14 million of those 20 are imported today.

Let's look at what is on the foreign scene today with Iran sending missiles as a message to the United States and Israel about their might. Make no bones about it, my friends; the only reason they have missiles is because they get to sell oil. If we weren't reliant on foreign oil and we could get away from it with a comprehensive plan and, Mr. CARDOZA, I'd love to work with anyone on your side of the aisle to come up with conservation alternative fuels and to be able to open up our offshore drilling in the gulf coast, Alaska, and use oil shale. If we put all of that together, we can be energy independent.

Mr. CARDOZA. I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Speaker, can I inquire of my friend from California if he has any more speakers, or he is prepared to close?

Mr. CARDOZA. We have no more speakers.

Mr. HASTINGS of Washington. The gentleman is prepared to close if I close?

Mr. CARDOZA. I am, Madam Speaker.

Mr. HASTINGS of Washington. With that, Madam Speaker, I yield myself the balance of my time.

Madam Speaker, it's time for the House to debate ideas for lowering gas prices. By defeating the previous question, I will move to amend the rule to allow the House to consider a bill that will help produce more American-made energy, H.R. 2208, introduced by Mr. BOUCHER of Virginia and Mr. SHIMKUS of Illinois, the cosponsors of that bill.

Madam Speaker, I ask unanimous consent to have the text of the amendment and extraneous material inserted in the RECORD prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HASTINGS of Washington. Madam Speaker, this House is on a course to complete its work by early this afternoon. The only legislation the House is even considering is this bill to consider a 600-mile scenic trail about the Revolutionary War. Tomorrow, the House won't even be in session. The House was originally scheduled to be in session, working tomorrow, but that was canceled yesterday.

The Democrat leaders of this House are choosing to do nothing for a day and a half, today and tomorrow, that was scheduled, and of course, do nothing about gas prices. They decided to just stop working and go home early rather than vote on legislation to lower gas prices by producing more American-made energy.

The House needs to confront the skyrocketing price of gasoline. It shouldn't be clocking out early and calling it a week. It's time right now for Congress to act on gas prices.

So, once again, Madam Speaker, I am going to ask my colleagues to vote ''no'' on the previous question so that we can amend the rule to take up serious legislation, bipartisan legislation, to bring down gas prices at the pump.

With that, Madam Speaker, I yield back the balance of my time.

Mr. CARDOZA. I would just like to clarify for my colleague from Washington. Once again, he sort of mischaracterized what is happening in the House of Representatives with regard to the work that we are doing to lower gas prices.

I would invite the gentleman to join me in the Ag Committee as I leave this chamber today and go to hearings that will be going on all afternoon in the Ag Committee to get to the bottom of the trading issues that might be leading to increased speculatory problems that are possibly causing increased gas prices and the hearings that we are going to have in the Ag Committee all day tomorrow with regard to the same subject. There are a number of us that will be working very hard the next 2 days to try and resolve to get to the bottom of this crisis.

Madam Speaker, I want to refer back to the bill at hand. We have gotten way far afield of what the topic was of discussion for this rule, and that is the National Trail System Act. That act was put in place 40 years ago to provide for the conservation of historic and culturally significant areas.

I think there is no more deserving historic designation than the one commemorating our Nation's struggle for independence. The bill that we are talking about deserves strong support by all Members of the floor. It's a good bill done by the Natural Resources Committee and chairman, Mr. RAHALL, bringing it to the floor. I would urge that we support it heartily.

I urge a ''yes'' vote on the rule and on the previous question.

The material previously referred to by Mr. HASTINGS of Washington is as follows:

AMENDMENT TO H. RES. 1317 OFFERED BY MR. HASTINGS OF WASHINGTON

At the end of the resolution, add the following:

SEC. 3. Immediately upon the adoption of this resolution the House shall, without intervention of any point of order, consider in the House the bill (H.R. 2208) to provide for a standby loan program for certain coal-to-liquid projects. All points of order against the bill are waived. The bill shall be considered as read. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by the chairman and ranking member of the Committee on Energy and Commerce, and the chairman and ranking member of the Committee on Science and Technology; and (2) an amendment in the nature of a substitute if offered by Representative Dingell of Michigan or his designee, which shall be considered as read and shall be separately debatable for 40 minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Democratic majority they will say ''the vote on the previous question is simply a

vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's ''American Congressional Dictionary'': ''If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. CARDOZA. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Washington. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

MOTION TO GO TO CONFERENCE ON H.R. 3121, FLOOD INSURANCE REFORM AND MODERNIZATION ACT OF 2008

Mr. CAPUANO. Madam Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Financial Services, I move to take from the Speaker's table the bill (H.R. 3121) to restore the financial solvency of the national flood insurance program and to provide for such program to make available multiperil coverage for damage resulting from windstorms and floods, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate thereon.

The Clerk read the title of the bill.

The motion was agreed to.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT

Mr. NEUGEBAUER. Madam Speaker, I offer a motion to instruct.

The Clerk read as follows:

Mr. Neugebauer moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 3121 be instructed, to the maximum extent possible within the scope of the conference, to (1) include in the conference agreement the provision in section 106 of the bill S. 2284.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. NEUGEBAUER) and the gentleman from Massachusetts (Mr. CAPUANO) will be recognized for 30 minutes each.

The Chair recognizes the gentleman from Texas.

Mr. NEUGEBAUER. Section 106 of the Senate flood insurance bill would reform the National Flood Insurance Program in a significant way by phasing out taxpayer subsidies and requiring that rates are based on an actual risk of flooding basis.

The Senate bill achieves this goal more quickly and fairly than the House bill, which does not begin phasing out premium subsidies for nonresidential properties and nonprimary residences until 2011.

We owe it to the American people whose lives get turned upside down in the aftermath of flood disaster to encourage an efficient, effective program, with adequate resources to be there for them when they need it.

Risk-based pricing will reassure taxpayers that they are not subsidizing those who choose to live in high-risk areas near coastal lowlands or flood plains where many property owners have repetitive losses.

Section 106 of the Senate version of the flood bill would also eliminate subsidies within 90 days of enactment for prospective policyholders of nonresidential structures, nonprimary residences, and severe repetitive loss properties.

It would also eliminate subsidies within 90 days for properties that undergo improvements or renovations that exceed 30 percent of the fair market value of the property, and any property that sustains damage exceeding 50 percent of the fair market value after the enactment of this bill.

In addition, Section 106 includes a provision that would prohibit subsidies and require risk-based pricing for prospective policyholders if the property was not insured within 90 days of enactment or if the policy lapses as a result of deliberate choice by the policyholder.

Risk-based pricing would also be required if the prospective policyholder refused to accept an offer for mitigation assistance or relocation following a major disaster.

These are prudent measures to strengthen flood programs, phase out taxpayer subsidies, and encourage a premium pricing structure that is based on the actual risk of the property to flooding.

While not part of this motion, I also believe it would be ill-advised to force the National Flood Insurance Program to take on new risk of wind coverage, as it would expose taxpayers to further losses and could unnecessarily interfere with the functioning of private wind insurance markets.

The Republican minority believes that the chief objective of Congress should be to reform the existing National Flood Insurance Program, including the removal of subsidies over time to improve the long-term solvency of the program. Adding new coverage to the program that has already lost $18 billion is a move in the right direction.

Madam Speaker, I want to stop and reiterate that the program, the reason this is so important is that we continue to subsidize this program and the deficits keep going up. Now, some people say, Well, the program pays for itself. But the truth of the matter is, Madam Speaker, this Congress is going to have to write off billions of dollars because the system is currently insolvent now, and now others want to increase and expand the coverage and postpone putting risk-based premiums in place.

The American people already are dealing with a lot of other issues. They don't need to be dealing with having to subsidize the National Flood Insurance Program any longer.

As the conferees work on this final flood insurance bill, we ask that they produce a bill that is fiscally responsible and does not saddle future taxpayers with more losses.

With that, I reserve the balance of my time.

Mr. CAPUANO. Madam Speaker, on reading this motion to instruct, it seems reasonable, well-thought-out, and we have no problems with it.

Therefore, with that, I would reserve the balance of my time.

Mr. NEUGEBAUER. In addition to rising to offer this motion to instruct on H.R. 3121, the Flood Insurance Reform and Modernization Act of 2008, I believe it's also critical that we talk about another issue that is very important to the American taxpayers, and that is a sound and reliable energy policy for our country.

I am repeatedly frustrated and I know the American people are repeatedly frustrated that this Congress has done nothing this summer, this year, to produce one additional barrel of oil to help reduce the dependency problem that this country has on foreign oil. This is not only an economic security issue for our country, it is a national security issue for our country.

We know that we have seen in the last few days that the Iranian Government is flexing their muscle and they are saying that they want everybody to know that they are a world power and that if people make them mad, or if they decide to do something, that they could close the Strait of Hormuz, where I think someone said almost 40 percent of the world's oil passes through that port. That just says to us

that this is a national security issue as well.

There's a very simple solution to America's energy problem. It's not complicated, it's not complex. It's a simple, three-letter word. It's yes. It's saying yes to drilling for oil within the borders of the United States of America. It's saying yes to drilling in Alaska and off the Outer Continental Shelf. It's saying yes to continuing to develop and use the 250-year coal supply that America has. As someone said a while ago, we are the Saudi Arabia of coal.

□ 1130

There are new technologies out there converting coal and liquefying it to use as a very clean and efficient energy source.

It is saying yes to building more nuclear power plants in this country. We haven't built a new nuclear power plant in I think over 30 years. It is a very safe, reliable source of energy and does not create a lot of greenhouse gases.

It is saying yes to building new refineries in our country. Not only, Madam Speaker, are we importing 70 percent of our oil, but because we haven't built a new refinery in this country in over 30 years, we are importing from 10 to 15 percent of our gasoline.

It is saying yes to renewable and alternative energy sources, such as wind, solar and biofuels.

Madam Speaker, what we need to do is have a balanced energy program, looking at renewables, looking at new technologies, but also producing American resources.

This growing energy crisis is affecting every facet of Americans' daily lives. As they try to drive to work, I had recently a telephone call with a constituent, and he said, Congressman, I have to drive three times a week to get medical treatment, and it is over 100 miles to and from to get that treatment. He said, I am down to the decision now whether I can afford to be able to go and get my treatment or buy groceries or make my rent payment. I need some help.

Madam Speaker, the American people are looking to this Congress to do something. And we can do something. We can say yes; yes to new technologies, yes to producing American resources, instead of exporting billions of dollars to foreign countries and letting them develop their resources.

I believe last month, June, the average import, this is daily import, Madam Speaker, was 13 million barrels a day, 13 million barrels a day. That is $1.8 billion dollars every day that America gets up and writes a check to send somewhere else. Not to invest in America. We write a check for $1.8 billion every day to send to some foreign countries.

Madam Speaker, unfortunately, some of those countries that we send that check to aren't all that friendly to the American people. Our friend, Mr. Hugo Chavez from Venezuela, we write him a check every day for $170 million. I am sure the American people are pretty excited that $170 million of investment that could be building America's resources and creating jobs in America is going down to South America, to Venezuela, to one of the people that have said we are imperialists and that they have invaded America not with armies, but with their oil.

So, Madam Speaker, what we have to do is we have to begin to look at why we are not doing anything in this Congress.

One of the things I have noticed that we worked on this summer, and I know the American people will be extremely excited to know, is that we have protected foreign cats, foreign dogs, monkeys, and today we will spend about 3 or 4 hours naming a scenic route. Now, I think that really goes a long way to assuring the American people that we are in fact working on energy solutions that will bring lower energy prices for the American people.

Madam Speaker, we have to begin to say yes, not only to these high energy prices affecting Americans' ability to go to and from work. Teachers, for example, in rural areas, driving 50, 75 miles, their cost of transportation is almost doubling, but their salaries are not going up. Those teacher contracts are out right now and they are saying, should I accept that teaching contract in that little rural community, where it is going to almost take a pay cut to do that because of the cost of gasoline?

It is affecting food prices. One of the things we know about energy, Madam Speaker, is it is interwoven in every aspect of our life. In the production of food, farmers are paying record prices for fertilizer and for diesel. So that is just the production side. The chemicals have gone up. Several chemical companies in the last few weeks have announced double digit increases in the cost of their commodities.

Now that we have produced those products, now we have to get those products to the processors and to the market. The cost of processing that food has gone up. Once we produce that food and we process it, then we have to deliver it to the distribution systems, and from the distribution systems to the grocery stores, and then the American people have to go to the grocery store. All along the way, these high energy prices are causing huge inflation for our country, and, Madam Speaker, we have to do something about it.

Madam Speaker, I reserve the balance of my time.

Mr. CAPUANO. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I was under the false impression that we were here to talk about flood insurance. I guess flood insurance isn't that important to my Republican colleagues, and that is fine by me.

I said yes, you must have missed it, I said yes to your motion to instruct. Now, after your debate, I am kind of maybe rethinking my position, but probably not, because I don't want to get dragged down there.

But I am no energy expert. I am learning as we go along. It is not in my background. But I know one thing: For 12 years, the Republicans did nothing on energy. Nothing. For almost the entire time I have been in Congress, we have had two oilmen running this country. They have done nothing on energy. Now, all of a sudden, they found it, and we have to sit here today and listen to a Republican advertisement while we are debating flood insurance. Flood insurance.

I understand the politics of it, and that is all well and good, but it just does amaze me that it is not enough to keep campaigning out on the street. Go knock on some doors, and maybe you will win some elections. You don't win elections by pontificating on the floor of the House. You do it by meeting and greeting people and then listening to what they want.

One of the things they want is for the oil companies to drill on the 68 million acres they already have. Why aren't they drilling there? Why not?

Mr. DANIEL E. LUNGREN of California. Will the gentleman yield?

Mr. CAPUANO. Not at this point, because I am going to get the rest of the ad in a few minutes. You will get your time.

They are concerned that somehow we are sending money to someone who is not too friendly. I know that. We all know that. Why didn't you do anything for 12 years? How did you just find this now? And did you just discover it as we were getting into flood insurance?

Now, I understand fully well. I had no intention of debating this issue. Again, the motion to instruct that we came here to debate is fine. We do need to act on flood insurance, and we will. And I also realize that I will hear the rest of the Republican ad in a moment.

I, for one, have never engaged in pontification on this floor. I haven't done a single Special Order yet in 9 years, because my way to communicate with my constituents who elected me is to go home and say hello and shake their hands and look them in the eye and listen to them, not to pontificate amongst each other.

I understand that that is not the way you campaign. That is fine, and I look forward to the remaining few minutes of the Republican national ad that hasn't worked thus far and I doubt will work between now and November. But I am looking forward to hearing all the wonderful things that you are going to do now, when you didn't do them for 12 years.

With that, Madam Speaker, I reserve the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. NEUGEBAUER. Madam Speaker, I yield 4 minutes to the distinguished gentleman from California (Mr. DANIEL E. LUNGREN).

Mr. DANIEL E. LUNGREN of California. I thank the gentleman for yielding.

In attempting to respond to the gentleman on the other side of the aisle, he said, what have we been trying to do in terms of energy? Did we just discover it? Well, no, that is not the case. We have been trying to work on energy for the last number of years. Let me just give the gentleman some figures.

On ANWR exploration, every time it has been brought up in the last 6 or 7 years, 91 percent of the Republicans have supported it; 86 percent of the Democrats have voted against exploration in ANWR, a clear delineation between the two parties.

Coal-to-liquid. We are the Saudi Arabia of coal. We have more coal than anybody else in the world. So wouldn't it make sense to try and use new technology to take coal to liquid? Every time it has been brought up, 97 percent of the Republicans have supported it; 78 percent of the Democrats have opposed it. That is not pontificating. That is voting on the floor.

Oil shale exploration. Along with Canada, again, we are the Saudi Arabia of oil shale. Every time it has been brought up, 90 percent of the Republicans have voted for it; 86 percent of the Democrats have voted against it.

Outer Continental Shelf exploration. Every time it has been brought up, 81 percent of the Republicans have voted for it; 83 percent of the Democrats have opposed it.

The gentleman says, why aren't we drilling on some of those leases? Well, the definition of an idle lease is a lease where drilling has not yet occurred. That means you have to go through all of the existing red tape, such as permitting and environmental laws. The process can take years. It is a self-fulfilling prophecy on the other side of the aisle.

My friend on the other side of the aisle and his allies in the environmental community, what have they done? Environmental protests have increased by 718 percent over the last 7 years. Three million acres of currently leased land is tied up in courts, where it cannot be utilized.

You ask why they are not leasing? Because they can't, because they are subjected to lawsuits. Companies are unable to begin exploring on the land they have already leased. Fifty-two percent, 52 percent of the wells that have been drilled, exploratory wells offshore, have proved to be dry holes. That is why they are not producing on those.

When I was here 20 years ago during the Reagan administration serving in this House, the Reagan administration managed to lease 160 million acres of onshore land. Today only 50 million acres are leased. ANWR contains 10.4 billion barrels of oil. 100 percent closed. Offshore, 86 billion barrels of oil we believe are there by the U.S. Minerals and Management Service. 97 percent of it is closed off.

And the gentleman says we are pontificating. We are not pontificating. We are asking your side of the aisle to allow us to have votes on these issues. Allow us to have a vote on ANWR; allow us to have a vote on coal-to-liquid; allow us to have a vote on oil shale; allow us to have a vote on offshore drilling, Outer Continental Shelf exploration; allow us to have a vote on refinery capacity increases. That is not pontificating. That is saying allow the American people to have these particular supply-oriented responses to the energy crisis voted on on the floor.

Now, the gentleman may say, we just go home. I go home. I just got back from home. I talked to people in my district. You know what they said? Get back to Congress and vote to change the laws to allow supply.

Now, once again, unless your side of the aisle is capable, excuse me, Madam Speaker, unless the other side of the aisle is capable——

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NEUGEBAUER. I yield the gentleman an additional minute.

Mr. DANIEL E. LUNGREN of California. Madam Speaker, unless the other side of the aisle is capable of suspending the law of economics, the law of supply and demand, we have to start dealing with the supply side.

We have dealt with the demand side. The American people in the last several months have dropped their usage per capita of gasoline greater than they have at any time since we have kept records. The American people are responding in responsible ways. They are responding on the demand side. They are asking us to help them be able to respond on the supply side.

That is not pontificating. That is not politics. That is governance. We are asking for good governance. Allow us to have the chance to vote on these things on the floor, and then let the votes fall where they may. Maybe the gentleman from the other side of the aisle is correct in his assessment that the American people don't want more supply. I suspect he is wrong. The only way we will know is if we have a vote. Just give us a vote.

I thank the gentleman for the time.

Mr. CAPUANO. Madam Speaker, I didn't hear much that surprised me. I guess I must have been mistaken. If I heard 52 percent of the holes were dry, that means 48 percent of them weren't, and they are not producing.

I know for a fact that in the oil wells and the oil rigs that they have in Alaska now in Prudhoe Bay, they claim to have more natural gas than they know what to do with. Yet they have never built a natural gas pipeline. There was no obstruction to that. None whatsoever. I must have missed it.

During the 12 years I talked about, Republicans controlled the House, the Senate and the White House for most of those years and still did nothing. Still did nothing.

Some Democrats do have some concerns, and I am proud to be one of them. Some concerns are about simply saying drill anyplace you want, don't worry about the environment. I don't necessarily think in the final analysis that is the way out. I think there are other ways. I do think that some drilling is appropriate, most of us do, which is why we are encouraging oil companies to do it. I don't get it.

□ 1145

And maybe I am mistaken, but a few years ago we had a vote on the floor of this House relative to offshore drilling in Florida. And then Governor Bush and every Republican member of the Florida delegation voted against that. Voted against that.

Now, I don't mind. But let's be honest about this. You did nothing for 12 years. You think you have a political hit here. Good luck. Good luck. Because I think the American people have already tried your way, to just simply give everything to the oil companies and not ask for anything back. I think they want to try a new way. And in the final analysis, we will get where we want to go. November will allow us a greater majority here, it will allow us more Members of the Senate, and it will probably give us the White House with people who actually want to do something rather than simply talk about it.

Now, my full degree of preparation for this debate was to be pulled out of a hearing on the entire financial crisis with Secretary of Treasury Paulson and the Chairman of the Federal Reserve, Mr. Bernanke. I wish I had come here more prepared with statistics and votes from 1902 and all those other things; but the truth is, this is nothing more than a political commercial.

The rebuttal is easy. It is almost painfully childish: The American public hasn't bought it and won't buy it. But I also realize, my presumption is there is still more time left for Republican advertisement, and we will hear a few more minutes of it as we speak now.

I reserve the balance of my time.

Mr. NEUGEBAUER. I appreciate the gentleman, and I think the leadership in his party has been very clear of what their energy policy is: No, we are not going to do anything about it.

I now yield 3 minutes to the gentleman from Georgia (Mr. PRICE).

Mr. PRICE of Georgia. Madam Speaker, I appreciate the gentleman's leadership on this.

My good friend from the other side said he didn't come prepared to talk about his side's strategy on energy. Well, let me share with you what an aide from the Democrat side said just this week. He said, ''Right now, our strategy on gas prices is to drive small cars and wait for the wind.''

That is the problem, Madam Speaker. Because when we want home last week, all of us went home last week for the Fourth of July break, we met with our constituents; and we heard what I suspect my friend from Massachusetts

would hear if he asks, and that is, that they understand, the American people understand that supply is important. And this is a dynamic situation.

He talks about a vote a number of years ago on whether or not there ought to be offshore exploration. Well, Madam Speaker, the situation has changed. The American's people opinion has changed. What has done that? $4 a gallon gasoline that the other side has done nothing about.

On our side we have attempted for years, literally for years to increase supply. In fact, as has been recited by my good friend from California earlier, we have passed all sorts of legislation out of the House of Representatives. What has happened is that they have died in the Senate. They have not gotten the 60 votes that they needed. But, Madam Speaker, I have great confidence in the responsiveness of the United States Senators, who have also been home and appreciate that this situation has changed.

The American people are demanding American energy for Americans, and there are solutions that are on the table. H.R. 3089, No More Excuses Energy Act, would reduce the price of gasoline by opening new American oil refineries. Investing in clean energy sources such as wind, nuclear, and captured carbon dioxide, and making available more homegrown energy through environmentally sensitive exploration of the Arctic Energy Slope and America's Deep-Sea Energy Reserves.

H.R. 3089, Madam Speaker. It is there for the taking. All we ask for is a vote. We are not guaranteeing passage, but we do believe that it is appropriate for the most deliberative body in the world to have an opportunity to vote on increasing the supply of American energy for Americans. And the problem is, is that our friends on the other side don't want to have that vote. Why? I am not quite certain, because I know that their constituents are telling them what our constituents are telling us, and that is, increase American energy for Americans. Instead, what is their policy? Drive small cars and wait for the wind.

Madam Speaker, we demand a vote on H.R. 3089 and the other bills that will increase American supply, American energy for Americans. Let's vote now.

Mr. CAPUANO. Madam Speaker, I think we have gotten all the wind we need right here right now. I am not so sure how to harness it, but I think we have gotten it, so we don't have to wait for it.

And I understand the gentleman doesn't want to read any of the bills we have put forward. I understand that. Nor should he waste his time, because he is not going to vote for them anyway. I know that. But he still hasn't answered the reason; again, a very simple question: 68 million acres and they are not drilling on them. Why? The obvious answer is they want to keep prices up.

Why aren't they using the refineries to their full capacity?

Mr. PRICE of Georgia. Will the gentleman yield?

Mr. CAPUANO. No, I don't yield. I will get the rest of the advertisement later.

Mr. PRICE of Georgia. The gentleman asked a question.

Mr. CAPUANO. No, I don't yield.

Mr. PRICE of Georgia. Will the gentleman yield?

Mr. CAPUANO. I do not yield.

Mr. PRICE of Georgia. You asked a question.

Mr. CAPUANO. I do not yield. I have got the full advertisement.

Mr. PRICE of Georgia. I thank the gentleman.

Mr. CAPUANO. You have wasted enough time for the American public right now. You are wasting taxpayer dollars right now. You are entitled to do it.

The SPEAKER pro tempore. The gentlemen will suspend. The gentleman from Massachusetts controls the time.

Mr. CAPUANO. The gentleman said why don't I ask my constituents. Why doesn't he come to my district and ask my constituents? If he thinks I don't talk to my constituents, that is fine. You can insult me all you want. It is of no concern. The American people know your answer. Your answer is to simply give oil companies anything and everything they want and ask for nothing back. Our answer is to allow them to drill where there is oil, to do so in a responsible manner, to pay their taxes, and to not basically gouge us with ungodly prices and ungodly profits.

I understand you don't want to join us in that. I respect that. Why you don't, I don't get; I don't have to get.

With that, Madam Speaker, I reserve the balance of my time. I look forward to the remainder of the Republican advertisement.

Mr. NEUGEBAUER. Madam Speaker, it is now my pleasure to yield to the gentleman from Nebraska (Mr. TERRY) 3 minutes.

Mr. TERRY. Madam Speaker, I rise in support of a comprehensive energy policy. And the gentleman from Massachusetts and I are friends and neighbors by offices and talk all the time.

And do you know what? It may be entirely true that Nebraskans think differently than suburban Boston folks. And that is why we go back and we talk to our constituents. And what I hear—and this isn't evenly divided; this is 95–5—that people are angry at the price of gas; they are angry at Congress doing nothing. And we sit here in this body and we have no real energy bills to discuss, so we have to use a flood insurance bill to be able to discuss these type of issues.

But my friend from Massachusetts brings up a point that I want to kind of correct and kind of agree with. We have been in Congress now five terms. I have been on the Energy Committee for 8 years; and almost every year that I have been on that committee, we have done an energy bill. Most of them haven't gotten to the President. We did get an energy bill that included drilling to the President in our first term, which was vetoed by President Clinton, that included ANWR.

My friend would probably remember a lot of vicious debates on this floor about opening up drilling in Alaska and ANWR and the deep waters off the coast of Florida and the gulf coast. We had incredibly intense debates on that, and we passed those. We passed the refinery bill that would expand our refining capacity and diversify where they are at in this body. So to be able to come and say on the House floor that we haven't done anything for 12 years is not accurate.

What is accurate is a bipartisan opposition to energy in the Senate, where we did good work, but unfortunately we had a group of 40 that was mostly Democrat but Republicans also that voted to kill refinery expansions, that voted to—well, sometimes they voted on deep-sea and ANWR, but most of the time they just ignored what we did here, in the Senate. And I am angry and upset at that.

But the people are demanding action now. And what I would like to see is, instead of this partisan rhetoric that we are hearing on the floor today, that my friends on the other side would say, hey, let's all get together. Because you talk about conservation. I wrote with Baron Hill the CAFE bill that ups the amount of fuel efficiency for the auto manufacturers. I am open to more of those types of discussions.

Let's get together and work on an energy policy, instead of this partisan bickering that we are hearing right now.

Mr. CAPUANO. Madam Speaker, I thank my friend and classmate for not getting further down that nasty little road. He made a good point. No new points. But I appreciate his tone.

I reserve the balance of my time.

Mr. NEUGEBAUER. Madam Speaker, could I inquire of the amount of time that I have remaining.

The SPEAKER pro tempore. The gentleman from Texas has 8½ minutes remaining. The gentleman from Massachusetts has 22½ minutes remaining.

Mr. NEUGEBAUER. At this time, I yield 1 minute to the gentlewoman from West Virginia (Mrs. CAPITO).

Mrs. CAPITO. Madam Speaker, I encourage our discussion on flood insurance. But like my colleagues, I am very frustrated with the high price of gasoline. And I believe that West Virginians deserve a comprehensive all-of-the-above approach.

I had a lot of conversations just last night with West Virginians, and they had wonderful, creative solutions. They had amazing ideas: Let's use algae, let's use cooking oil, let's use biomass; and, of course from West Virginia, let's use coal.

We also had a gentleman who offered a great national call for conservation, that we would incorporate our youth

through education and other methods to get involved with how we can conserve. But the most thing I heard was the question of frustration, and why are we not doing anything?

Unfortunately, this House has yet to act on any legislation that will actually make a difference. And it is time for a change. It is time for this Congress to get serious about protecting consumers and taking action on real solutions.

West Virginians are less concerned, as the previous speaker said, about the political battles that are encompassing Capitol Hill. We are more concerned about a bipartisan breakthrough that actually increases supply and makes our Nation more self-reliant.

Mr. CAPUANO. Madam Speaker, I yield such time as the gentleman from Florida (Mr. HASTINGS) may consume.

Mr. HASTINGS of Florida. I thank my distinguished friend from Massachusetts, who came here to discuss what I thought I came here to vote on, and that is the Flood Insurance Reform and Modernization Act of 2008.

Lest we lose sight of the importance of flood insurance, coming from an area where that is a continuing critical problem and knowing that those in the Midwest and certain portions of the South are presently suffering in that regard, it is regrettable that we are not focusing on the importance of that particular legislation.

Now, let me also add my voice to the voices of my colleagues on the other side who continue to say that they want to do something about the continuing increase in the price of gasoline.

I recently was before an editorial board, the Sun Sentinel Newspaper, in my hometown, and I was asked the question: What are you all in Congress going to do about gas prices?

A footnote right here. I would that my colleagues would stop the folly of using the words of an aide in a congressional office as the strategy of the Democratic Party. What I said to my newspaper was we were going to use an awful lot of hyperbole between now—we, meaning the Congress; we, meaning the U.S. House and Senate; we, meaning Democrats and Republicans; we, meaning liberals and conservatives.

What we were going to do between now and the election, I said to them, was talk a lot about things that are likely to take place in the future but that cost an immense amount of money in order to accomplish. And I said to them, let me give you the hyperbole. We are going to use the language geothermal. We are going to say biomass. You are going to hear alternative energy, solar or wind. You are going to hear all of those things, and many of those things are certainly going to be a part of our energy production at some point in the future.

I also rather suspect that what is going to happen is those companies that supply energy today are more likely than not to be involved in that research and production of the alternative energy sources. But to say that the Democrats have done nothing, and I am now here 15 years and I have seen 12 years of the Republicans' attempts to do something about energy which amounted obviously to nothing.

So the Democrats are in charge 1½ years, and we are told with a White House that is more than involved in the energy issues of this Nation and this world, and with a Senate that won't move a single solitary thing that is productive coming from the House of Representatives; we still have managed to enact into law the Energy Independence and Security Act in 2007, the Strategic Petroleum Reserve Fill Suspension and Consumer Protection Act.

□ 1200

We enacted into law the Food Conservation and Energy Act of 2008, and I won't go into all of the details. There is more coming, reducing transit fares, cracking down on price gouging, use or lose it, which my colleagues on the other side of the aisle seem to have forgotten that we just voted on before we left here, and that we are likely, just so I give them a heads-up, give you another chance not to go with use it or lose it, which compels the oil industry to start drilling or lose permits on 68 million acres of undeveloped Federal oil reserves which they are currently warehousing, keeping domestic supply lower and prices higher. We need to further close the Enron loophole which was also a part of that legislation.

We have also passed the Renewable Energy and Job Creation Act. We passed the Gas Price Relief For Consumers Act. We passed the Energy Gouging Prevention Act.

So I continue with what I said to my newspaper, we were going to say switch grass. We were going to say algae. We were going to say use cane as Brazil does. We were going to say all of those things, and then when we finish, we are not going to do one single solitary thing that is going to cause Jane Lunchbucket, when she goes to the gas pump next Thursday, to witness a reduction in her gas prices.

We have tried as best we can to deal with speculators that we know have driven up some of these prices. We are doing everything that we can to try to ensure that the 200,000 acres of oil shale that are already under the control of six companies are utilized.

We allow that people need to understand that if we drill off the coast of Florida, and let it be clearly understood by everybody in this House of Representatives that I will be the last man standing saying that you will not drill off the shore of Florida beyond the limits of the law that all of us agreed to until such time you change that law. Florida's beaches are pristine. Florida's tourism depends upon them, and I am astounded that my California colleagues would come here and say that they want that kind of drilling. We own that opportunity. Sixty-eight million acres are already leased; as well as 23 million acres in the Arctic. What in the world are you talking about? Why are the oil companies not doing that drilling at this point?

And you come down here with some simplistic solution saying that some child in an office back there said drive small cars and wait for the wind. We aren't going to wait for the wind. T. Boone Pickens is not waiting for the wind. He has been an oil man all of his life, and he has decided that among the things that he is going to do is get involved in wind research.

I go to Denmark frequently in an organization that I work with. Denmark is supplying more than 30 percent of their energy with wind. And most of the windmills that you see come from that Denmark area. Assuredly at some point wind is going to be a major source, as is geothermal, as is gasification.

All of us know the buzz words, but let's stop kidding Americans. The solutions are costly, and the energy companies are the ones that are more likely to do this rather than us sitting around here with some mumbo-jumbo and a bunch of people running down here so that they can have a bumper sticker.

Everybody goes home, everybody buys gas, everybody knows it is high, and none of us in this place are going to do one doggone thing between now and the time that we leave here that is going to cause it to come down that much that it will be dramatic.

I have one more proposal: A tax credit for Jane Lunchbucket and Joe Lunchbucket. Give them a tax credit. When I was a child, we had oil coupons because oil was cheap, not cheap, but at the same time was not plentiful. So during the Second World War, we did what was necessary, and I would ask all of my colleagues in this body, just ask yourself the question: What would Roosevelt do? I think what he would do is say that we have a national crisis and that we owe it to ourselves to focus on what it will take, worldwide, in this global economy that we live in and in our Nation to undertake to do what is necessary for the American public.

I thank my colleague for yielding me this time.

Mr. NEUGEBAUER. Madam Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Madam Speaker, I rise in support of this motion to instruct, but I also rise in support of my colleagues who today are stressing the plight of the American people concerning the price of gasoline.

Let me just note that this weekend I was surfing in my district. My wife and I are avid surfers, and my friend and colleague from Florida, who also, of course, represents a State with a long coastline, should understand that we have had offshore oil rigs off California for many, many years, off of my district for many, many years. The only

oil spill we have ever had has come from a tanker which had an accident off our shore.

Those people who are adamantly opposed to offshore oil drilling, as we have just heard, are actually making us more vulnerable. They are making their pristine beaches more vulnerable to spills because a tanker has about a 500 percent greater chance of spilling oil than does an offshore oil rig.

In fact, let us note that we have heard the argument time and again, why aren't the oil companies drilling off the land they have already been given? In my area that is very clear. The reason the oil companies can't proceed is that they have been stopped by roadblocks put before them, legislative and legal and regulatory roadblocks by radical environmental groups that won't let them drill and won't let them get to that oil. As long as the alliance for the radical environmentalists and the liberal wing of the Democratic Party keeps hold, we are not going to get that supply.

The price of oil is high, gasoline is high because the supply is down. The supply is down because there is a coalition between the liberal left and radical environmentalists that have prevented any type of new supply from being developed in the last 30 years. It's as simple as that. The money being extracted from our pockets at the pump is a result of the lack of supply. The idea that pristine beaches are going to be threatened by offshore oil rigs has been used to diminish supply and increase the price of oil at the pump.

I rise in support of the motion to instruct and the arguments in favor of more supply of oil for our country.

Mr. CAPUANO. I yield such time as he may consume to the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. I thank the gentleman for yielding.

I was not going to speak here this morning, but I have heard the rhetoric on the floor and it is really sort of disheartening to be a Member of this body and see all the pointing of fingers going on on energy. I sit on the Energy and Commerce Committee and in my role as the chairman of the Oversight and Investigations Subcommittee, we have held six hearings in the last 2 years about what is happening with gas prices, oil supply, and what is happening in our markets, especially with speculators. We continue to work on legislation to do a number of things.

But I think the honest thing we have to tell the American people, any Member of this House, Democrat or Republican, if they had it within their power to lower a price of a gallon of gas, they, we, would do it. We would have done it. We realize the pain that is being felt by the American people.

When I was home doing my Fourth of July parades, people demanded we do something. I finally said to one of them, ''Don't you think if Congress had the magic wand and could lower gas prices tomorrow, we would have done it?'' There are some things that are out of the hands of the U.S. Congress at this point in time.

So what is our strategy to move forward? What can we do immediately? Supply and demand. It is more than just supply and demand. The price has doubled within a year, and there have been no shortages in the supply.

If you take a look, when we were doing these Fourth of July parades, oil was $145 a barrel. Today, Thursday, July 10, USA Today, Moneyline, it is $136.05. Why did it drop $10 in less than 7 days? That's the volatility we see in the market right now. It is a very volatile market. Some of us want to bring stability to the market and lower these prices. Why the $10 drop when nothing has really happened? There is no more supply that came on the market. We do have more speculators. We do have this Democratic Congress holding hearings, like in the Ag Committee, regarding excess speculation in the market. Some of us have been working on that angle since 2006.

We have had legislation, the PUMP Act, to stabilize prices and to lower prices. So if you take a look at the PUMP Act regarding how we get these prices down from $136, it is to close the Enron loophole. The Enron loophole says the Commodity Futures Trading Commission will not deal with energy or energy derivatives. We had turned a blind eye to what happened in the market.

We should close the swaps loopholes. Eighty-five percent of the trades now on energy are going through a swap loophole.

We should enforce the aggregate position. You're only supposed to hold 20,000 contracts for oil on NYMEX. So I hold 20,000 on NYMEX. I hold 20 on Dubai, I hold 20 on the London exchange, the ICE Exchange, as they call it. There are 60,000 contracts. Every contract represents a thousand barrels of oil.

The foreign boards of trade. You set up a foreign board of trade and you give it a name like the London Exchange or ICE Exchange, and guess what, we outsource the enforcement of the trading that is going on in this country for West Texas intermediate crude oil. That's what has happened. We've outsourced our responsibility, and we rely on London and Dubai to enforce laws to make sure that the markets are performing accurately and not these wild swings we see each and every day.

So I don't care if you're Democrat or Republican, if we had a way to lower gas prices, we would do it.

I believe one thing we can do to immediately bring some relief, without drilling all over the world, is close these loopholes, the Enron loophole, the swaps loophole, enforce aggregate positions, close the foreign boards of trades. We can do that. We are having a hearing today, and it will be going again tomorrow, and hopefully next week we can bring forth this legislation. So let's take the speculators out of the market so we bring a stable price and less volatility in the market.

And then let's look at opening more areas for drilling. Democrats are for that. We are for that when we take a look at the long term. And why don't we streamline. In fact, we did. In 2005, the Energy Policy Act, passed under the Republican majority, I was a conferee to that bill, we streamlined so we could bring more refineries online, but no one has done that. We streamlined the process so it is easier.

So all of this finger pointing going on here is not doing the American people or any of us a lot of good.

We have to look at alternative fuels. The first commercial bio-diesel fuel in Michigan is in my district. I am proud of that. Is it enough? No, but it is a start.

So we need a short-term strategy and a long-term strategy. I think the PUMP Act prevents an unfair manipulation of prices, gives a short-term strategy, stabilizes the prices, and gets the volatility and excess speculation out of the market. And then let's look at long-term solutions.

So instead of coming down here and saying one side is going to do this and one side can't do that, that is hogwash. None of us have within our power to lower gas prices today or tomorrow. Let's be honest with the American people. What we can do is get the speculators out of the market, do a reasonable approach, and let's take a look at some long-term solutions.

Mr. NEUGEBAUER. Madam Speaker, just in response to the gentleman, what can we do, we can increase the supply. And as the other previous speaker from Florida said, we are not talking about geothermal or switch grass, Madam Speaker. We are talking about proven technology. We know we that can use oil. We know that we can use nuclear. We know that we can use coal. And the only way you are ever going to lower the price is increase supply, yet my colleagues on the other side are saying ''no.'' The American people are saying ''yes.''

I yield 3 minutes to the distinguished gentleman from Georgia (Mr. WESTMORELAND) who has been trying to bring this point to the forefront in this Congress.

Mr. WESTMORELAND. Madam Speaker, I also want to address what the gentleman from Michigan on the other side just got through saying about they are for drilling. Well, if they are for drilling, why is it that they pulled the appropriations bill when there was just a mention of having an amendment to allow drilling?

Let me just go back to April 2006 when then-minority leader NANCY PELOSI, now Speaker, said the Democrats have a commonsense plan to lower the skyrocketing price of gas. Where is that plan? Well, the plan was supposed to be, I guess, H.R. 6, the Energy Independence and Security Act of

2007 which came forth. I am assuming this was the commonsense plan that the Democrats had.

□ 1215

Well, you know what? If they want bipartisan for it, if they wanted to vote on drilling, if they want to vote on getting to the Outer Continental Shelf, or if they wanted to be serious about tar sands, alternative fuels, coal-to-liquid, shale oil, then why did we have a closed rule? Why did we shut out half of the American people in this country that have representation in this body that didn't have a voice about an amendment on the floor that did not have an amendment in the Rules Committee?

If we're so bipartisan now that this issue has come up and that the majority has not been able to address it, why are we wanting to be bipartisan now? Why weren't we bipartisan when we passed H.R. 6? And let me tell you this: In that bill of over 300 pages, crude oil's mentioned five times, gasoline is mentioned one; exploratory drilling is mentioned two; offshore drilling, zero; domestic drilling, zero; domestic oil, zero; domestic gas, zero; domestic fuel, zero; domestic petroleum, zero; gas prices, zero. Commonsense, goose egg.

Greenhouse, 103; green building, 101; ecosystem, 24; climate change, 18; regulation, 98; environmental, 160; geothermal, 94; renewable, 333; swimming pool, 47. And yes, don't forget the popular CFL light bulb, 350 times.

Madam Speaker, we cannot regulate our way to energy independence. We cannot tax our way to prosperity. When is the majority party going to understand that we have got to do some of these things that we hear them talking about?

It's time to show the American people, Madam Speaker, that we mean business about lowering the price of gas at the pump. I want to quote this, and I think this is a representation of what the Democratic Party did to the American people in 2006.

This is a quote from Mr. KANJORSKI from a newspaper:

''Now, anybody who is a good student of government would know that wasn't true,'' Mr. KANJORSKI said at an Ashley town hall meeting in August. And he was talking about ending the war.

The SPEAKER pro tempore. The time of the gentleman from Georgia has expired.

Mr. NEUGEBAUER. I yield the gentleman an additional 30 seconds.

Mr. WESTMORELAND. ''But you know the temptation to want to win back Congress—we sort of stretched the facts, and the American people ate it up.''

Well, I've got something to say to Mr. KANJORSKI and the majority party. The people are paying the price for that meal that they had of lies and untruths and half-truths. They're paying the price for it at the pump.

It's time we took action. It's time we make it where the American people didn't have to make the choice of visiting a sick relative in the hospital or going to work.

Mr. CAPUANO. Madam Speaker, I wouldn't mind getting a list of these radical environmentalists. I would like to know who they are because I wouldn't want to associate with them. I don't know where they're meeting to somehow deny the oil companies their massive profits. I would like to know what they are doing. When they get the list of radical environmentalists, I would just respectfully ask that they send it over to me because I would like to know who they are so I can make sure not to hang around with them.

As I understand it, I still haven't heard any reason—I don't understand this. We have said ''yes'' to drilling. We have given out 68 million acres to do it on. We have given out 10,000 permits that are being unused now. Right now as we speak. There are refineries that have excess capacity right now. Right now. Today. Right this very minute. Not being utilized.

With all of this land that they have that they don't want to use, we're simply trying to get them to use it. Even JOHN MCCAIN says he doesn't want to drill in ANWR. He knows that that's a red herring. He knows that that's not the answer. He knows that there are other answers that are more readily available that will get us where we want to go more quickly without destroying the last bit of environmental parts of this country that we have.

Now, don't get me wrong. I'm not going to agree with many things that Mr. MCCAIN has to say. But he's right on one. And I'll give it to him.

If the companies don't want to use the land that they have, why don't they give it back? Either drill or get off the plot. Very simple. Or explain to us who these radical environmentalists are who have somehow secretively been so successful at foiling the good-hearted intentions of our major oil companies in providing us low-cost oil. Because if that's the case, I will sign up with Exxon and Sunoco right now and deny my friends on the environmental side, unless, of course, I find that they're so successful, they're so capable that maybe they'll convert me, and maybe I will join them. But I'd certainly like to know who they are.

Mr. DOYLE. Will the gentleman yield?

Mr. CAPUANO. I certainly will yield to my friend from Pennsylvania.

Mr. DOYLE. Since the oil companies apparently don't want to drill in all of this land that's accessible to them today, and since our friends on the other side of the aisle want so desperately to get oil out in America to lower gas prices, I would ask them to join Democrats in asking President Bush to release 10 percent of its gross 70 million barrels of oil in the economy immediately, not 10 years down the road once we start some new drilling project, but immediately we could have oil in the domestic economy just by releasing 10 percent of the SPR without affecting any national security concerns and gasoline prices could come down.

So I hope my friends on the other side of the aisle will join us in asking President Bush to do that immediately.

Mr. CAPUANO. Madam Speaker, maybe they can just say ''yes'' to that.

With that, I reserve the balance of my time.

Mr. NEUGEBAUER. Madam Speaker, it's my honor to yield 1 minute to the distinguished minority leader, Mr. BOEHNER.

Mr. BOEHNER. Let me thank my colleague from Texas for yielding.

I think all of us understand that American families are struggling with the high costs of food, health care, and yes, the high cost of gasoline. Small businesses are struggling. And what Americans are about to see in the coming months is that the cost of fuel is in virtually everything that we buy and everything that we use. And when we begin to see these giant price increases in the coming months, the squeeze on American families and small businesses is going to get a lot worse.

That's why I and my Republican colleagues have been supporting a plan that says, Let's do all of the above. If we're serious about energy independence, we're serious about wanting to help our economy, help families, and help small businesses. We know we need to conserve more fuel, more energy in America. That's why many of us voted to increase CAFE standards to get higher fuel mileage for American cars. We also need to continue to promote biofuels, and whether it's cellulosic ethanol, whether it's regular ethanol, biodiesel, there's still room to grow in the biodiesel area.

We also need to have alternative sources of energy, whether it be wind, whether it be solar, geothermal, hydroelectric. All of these alternatives are out there. But we ought to make sure that the incentives that we have are sufficient to help bring these alternatives to market as soon as we can.

But we also need to be serious about nuclear energy. France produces almost 80 percent of its electric from nuclear energy. In America, we've put such a stranglehold on the ability to construct a nuclear plant that it takes over 15 years and billions of dollars to maybe, maybe get one sited, much less build it and to operate it. We can meet all of the safety concerns of nuclear energy in a much more efficient way that would allow people to bring these plants on and save the oil, gas, and coal that is used today.

But even if we did all of these, we haven't done enough. We haven't done enough to take the step toward truly helping Americans be energy independent. And that's where we need to drill. We need more American-made oil and gas. And we can do this. But a lot of people on the other side continue to say no.

1989, when the ANWR bill was on this floor, GEORGE MILLER, my colleague and friend from California, said, We shouldn't pass this. Because even if we passed it, we wouldn't see any oil or gas out of ANWR for 10 or 12 years. Well, let's see. I'm not the greatest mathematician, but that was somewhere around the year 2000 we would have started to see a million to a million and a half barrels of oil a day coming out of ANWR.

The House has passed ANWR drilling legislation 10 or 12 times. It's the Senate that continues to block it. But in 1995, the Senate actually came along. We passed an ANWR drilling bill. We sent it to President Bill Clinton. And he said when he was vetoing the bill that well, even if this were to become law, we wouldn't see any oil or natural gas out of ANWR for 10 years. Well, let's see. That's 2005. So for the last 3 years we would have been getting a million to a million and a half barrels of oil a day.

Now, my colleagues on the other side want to make all kinds of excuses. They want to blame the speculators, they want to blame the oil companies, they want to blame everybody other than who they should blame. Get the mirror out. Look in the mirror, because it's my colleagues on the other side over the last 20 years who, over 85 percent of the time, have voted to block more American-made energy. Every single time.

Now, we've been having this debate the last several months about having a pro-energy vote here on the floor of the House. Right here. Right here in the people's House. Why can't we vote? Why can't we have a debate? Why can't we let the American people see where their Congress is, where their Members are? What do we have to fear? Oh. We have to stop the appropriation process because oh my goodness, somebody might offer an amendment that would lift the moratorium on offshore drilling. We can't expose our Members to a vote like that. They might vote the wrong way.

Why can't we have a vote right here on the floor of the House on drilling in the Arctic National Wildlife Refuge, a 19-million acre plot of ground and where we would use about 2,000 acres to actually do the drilling? Now, if you want to look at that, that's the size of a postage stamp on a football field. That's how much of ANWR would be affected by oil production up there.

Why not have a vote? Why not let the Members make a decision. Offshore oil drilling. How about oil shale in the Intermountain West? Why can't we have a vote here to have more energy production?

But I'm going to say it one more time. We need to do all of the above if we're serious. And we can drill in an environmentally sound way, and that's what we should be doing.

Madam Speaker, I support the gentleman's motion to instruct, and I would tell my colleagues on the other side we're not going to leave here for the August recess until we get a vote on having more American-made energy.

And I see my friend, the majority leader, coming down. Maybe he can promise us that we will get a vote over the next 3 weeks on having more energy produced right here in America.

Mr. CAPUANO. Madam Speaker, I yield 1 minute to the majority leader, the gentleman from Maryland.

Mr. HOYER. I thank the gentleman for yielding.

I was in my office, as I have been over the days recently, where I see the distinguished minority leader rise, I see other Members on that side of the aisle rise, beat their chests about drilling. My side of the aisle is for drilling. We just had a press conference on drilling. But as I sit there, I think to myself, you know, the American people gave the opportunity to the Republican Party, the minority party now in the House of Representatives, to lead this country; and they gave them all of the power in Washington. They gave them the Presidency, the House of Representatives, and the United States Senate. They did that in the year 2000. They had already given them the House, and two oil men were elected President and Vice President.

In January, the Vice President decided to have, and he had over the coming months in 2001, he convened a meeting, a secret meeting of those involved in the energy industry to adopt energy policies.

Now that meeting—the minority leader is now leaving, but we will see him later—that meeting perhaps resulted in success, I don't know. I don't know what the meeting was about.

But during the course of the Presidency of Bill Clinton, oil went from $1.06 to $1.46. A nickel a year, 5 cents per year was the increase in the cost of gasoline at the pump for Americans.

□ 1230

And then, President Bush, Vice President CHENEY, the Republicans came to town, all of town, and gas went from $1.46 in January 20, 2001, to over $4.10 on average throughout this country. Pretty stark. It now goes up from time to time 5 cents a day, where under Bill Clinton 5 cents a year.

And then the Republicans, 5 years later, adopted a bill, 2005, their energy policy. They were in control of the House, control of the Senate, and they had the Presidency. They passed that bill. Gas was then about $2.20. And they said we've adopted an energy policy—said it on the floor, said it when they signed the bill—we have done a bill now that's going to stabilize prices, going to make sure that Americans have energy supply. That's what they said. That's not what we said.

Now, ladies and gentlemen who are listening to this debate on this floor, I tell you that there are 68 million acres right now, right now available for leasing. You wring your hands and say, well, open up places for drilling. We've done that, friends. Look at the statistics, 68 million acres in the lower 48 and another 20 million acres, give or take a million, in Alaska.

They talk about a wildlife refuge that they want to drill in, but they don't talk about the 20 million acres in the National Petroleum Reserve area in Alaska currently available. The administration could be pursuing leases on it. We may well have legislation to say, Administration, start moving, start drilling, start bringing product to the market so we'll bring prices down.

Now, of course, one of the aspects of bringing prices down, my friends, will be that the oil companies will make less profits. I know everybody in America believes that the oil companies want to get more products so they can bring prices down and make less profit. I know all Americans believe that's the way the system works.

The Republicans keep harping on drilling. We want to drill. We want to produce more American product. And by the way, we're going to bring legislation to the floor that's going to say when you drill, sell it here in the United States of America, keep our resources here in the United States of America.

I want to tell my friends, there are 88 million acres. And now, let me tell you something, 88 million acre, that's Maine, Vermont, New Hampshire, New York, Connecticut, Massachusetts, Rhode Island, Delaware, and most of Maryland. Now, I know my friend from Texas thinks that's not much of an area of space, but I will bet everybody listening to this debate thinks that is a pretty large piece of property on which you can drill in America today. Why? Because we want to produce energy.

But I will tell you, one of the reasons we're in this pickle is because for a quarter of a century, for a quarter of a century that I've served in the Congress, a little more than that, the Republican Party has taken the position, no, we don't want to invest in alternatives, we don't want to see alternative energy sources developed.

And you can say it's not true as much as you want, I tell my friend, but the record reflects that has not been the priority. The priority has been, let's get more oil. We want to get more oil.

But I will tell you a country, as Boone Pickens said—I don't know whether you read Boone Pickens. He's one of the people who thinks that some of the policies you have been pursuing aren't too bad. He's not a Democrat. Here is what Boone Pickens said. The problem, of course, is our growing dependence on foreign oil. It's extreme, it's dangerous, and threatens future generations. And he says in this article in The Wall Street Journal, you are not going to drill yourself out of this hole that we've dug. He says, rightfully, that we need to see investments in alternatives.

Now, happily, last year when we took office, took control of the House and

the Senate, we adopted a bill, the President signed that bill, which looks to alternatives to complement the relatively small supply. America demands 25 percent of the energy resources in this world, and we have 3 percent of the petroleum supply. My friend the minority leader said he wasn't much of a mathematician, but you don't have to be much of a mathematician to know that if you're relying on that 3 percent, it's not going to be there very long.

So, yes, my friends, we need to find more domestic product. We need to drill where we now have authorized drilling to occur, and if that doesn't produce the resources that experts tell us are on that property, then I tell you this. Then we ought to look at other alternatives, and perhaps we ought to look at other alternatives now.

But for you to have a blind eye and pretend to the American people that somehow we're not allowing people to pursue drilling on our soil here in America and on the Outer Continental Shelf, I want you to know, that is currently authorized where drilling is not occurring, then you are misleading the American people. The American people ought to know: The Democrats want to make sure that we have more domestic product.

The Speaker has written a letter to the President just the other day saying, Mr. President, we have 773 million barrels of oil that are in our Strategic Petroleum Reserve. Mr. President, use some of those, as your father did, as Bill Clinton did, at a time of economic crisis to help our people, help our people get to work, help them get their kids to school, help them afford their other expenses.

So I tell my friends that we need to deal with this issue. We're going to deal with this issue. We're concerned about this issue, all 435 of us, but to hear day after day after day that somehow we, who came to office just 18 months ago, after an energy policy was conjured up by the Vice President and the White House and an energy bill was passed in 2005, that somehow, somehow what's happening now is our fault, the American public aren't buying that. Polls show that.

But I will tell you, that we can work together because we need to be energy independent. It's a national security objective, an economic security objective, and we also need to keep our environment from choking our children and generations to come.

We're committed to both of those objectives, and we will join with all those who want to do the same.

Mr. NEUGEBAUER. Madam Speaker, one of the things I want to say is we are more than willing to work in a bipartisan way if the majority leader has a plan to supplant the fact that we import 13 million barrels a day. If he's got some plan to do that, the Republicans will stay here till December to pass that legislation.

I just want to also let the gentleman know that the largest wind farm in the world is in my congressional district, and there's more wind power in my congressional district than in the whole State of California. We were able to accomplish that in just 5 years.

Madam Speaker, what the American people that are here today, they want to know is, is this Congress, is this majority, going to do something about energy. Either yes or no.

Mr. CAPUANO. Madam Speaker, I think everything that needs to be said has been said. I appreciate the opportunity to listen to the preview of the November election. I look forward to seeing the 30-second version. I don't know how it's going to be cut down, but I'm looking forward to it.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. CAPUANO. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order: ordering the previous question on House Resolution 1317, and adopting House Resolution 1317, if ordered.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

PROVIDING FOR CONSIDERATION OF H.R. 1286, WASHINGTON-ROCHAMBEAU REVOLUTIONARY ROUTE NATIONAL HISTORIC TRAIL DESIGNATION ACT

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 1317, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 226, nays 185, not voting 23, as follows:

[Roll No. 480]

YEAS—226

Abercrombie
Ackerman
Allen
Altmire
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Cazayoux
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Doggett
Donnelly
Doyle
Edwards (MD)
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Hastings (FL)
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reichert
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—185

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Chabot
Childers
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Goode

Goodlatte
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOT VOTING—23

Andrews
Boswell
Brown-Waite, Ginny
Carter
Dingell
Edwards (TX)
Fortenberry
Frank (MA)
Frelinghuysen
Gohmert
Granger
Harman
Hill
Hulshof
Kennedy
Pickering
Pryce (OH)
Reyes
Rush
Smith (TX)
Speier
Waxman
Wilson (NM)

□ 1304

Messrs. SAXTON, EVERETT, RAMSTAD, EHLERS, and KINGSTON changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Washington. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 224, nays 182, not voting 28, as follows:

[Roll No. 481]

YEAS—224

Abercrombie
Ackerman
Allen
Altmire
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Cardoza
Carnahan
Carney
Carson
Castor
Cazayoux
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Doggett
Donnelly
Doyle
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Hastings (FL)
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—182

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Hensarling
Herger
Hobson
Hunter
Inglis (SC)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOT VOTING—28

Andrews
Blunt
Boehner
Boswell
Brown-Waite, Ginny
Cannon
Capuano
Dingell
Fortenberry
Frank (MA)
Frelinghuysen
Gohmert
Harman
Heller
Hill
Hoekstra
Hulshof
Issa
Lungren, Daniel E.
Murphy, Patrick
Pickering
Pryce (OH)
Reyes
Rogers (MI)
Rush
Smith (TX)
Waxman
Wilson (NM)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1311

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. RAHALL. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1286.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

WASHINGTON-ROCHAMBEAU REVOLUTIONARY ROUTE NATIONAL HISTORIC TRAIL DESIGNATION ACT

The SPEAKER pro tempore. Pursuant to House Resolution 1317 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1286.

□ 1314

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1286) to amend the National Trails System Act to designate the Washington-Rochambeau Revolutionary Route National Historic Trail, with Mr. ROSS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from West Virginia (Mr. RAHALL) and the gentleman from Utah (Mr. BISHOP) each will control 30 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. RAHALL. Mr. Chairman, I yield myself such time as I may consume.

Today, we are considering H.R. 1286, legislation introduced by our colleague, Representative MAURICE HINCHEY of New York. I might also add that it was some 9 years ago that the initial study on this legislation was initiated by our colleague from Connecticut, Mr. JOHN LARSON, and I wish to commend his leadership, as well as Mr. HINCHEY's leadership on the pending bill.

The pending legislation will designate a National Historic Trail, tracing the routes taken in 1781 by the armies of General George Washington and French Count Rochambeau on their march from New England to face the British Army at Yorktown, Virginia.

The story of this trail is a fascinating piece of our history. The French Army, after wintering in Newport, Rhode Island, marched southwest in early July to join General Washington and his troops at Phillipsburg, New York. On August 18, the soldiers, and their provisions and armaments, started to slip away from Philipsburg.

The troops and their supplies traveled 600 miles over a network of strategic roads and waterways through New Jersey, Pennsylvania, Delaware, Maryland, the future District of Columbia, and Virginia. They reached Williamsburg in late September, 1781.

With a French fleet in the Chesapeake, blocking British reinforcements from New York or a sea escape for Cornwallis' troops, Washington and Rochambeau laid siege to Cornwallis' army at Yorktown. Three weeks later, on October 19, 1781, the British troops laid down their arms.

I would note that when we bring forth legislation of this nature, concerns have been raised in some corridors regarding any potential impacts on private property rights. I can assure this Committee that most of this trail follows public roads or crosses public lands. While the historic route does cross some private lands, the National Park Service does not propose or anticipate any acquisition of private lands.

I would also point out that nothing in the National Trails System circumvents the authority of the States over hunting and fishing. However, to make this matter crystal clear, the rule governing debate over the pending measure adopted an amendment which reads as follows. Again, the rule governing debate over the pending measure adopted an amendment which reads as follows:

''Nothing in this act shall be construed as affecting the authority, jurisdiction, or responsibility of the several States to manage, control, or regulate fish and resident wildlife under State law or regulations, including the regulation of hunting, fishing, trapping, and recreational shooting. Nothing in this act shall be construed as limiting access for hunting, fishing, trapping, or recreational shooting.''

I would say this language covers all the bases. Nothing in the pending measure in any way, shape, or form supercedes the authority of the States over hunting, fishing, trapping, and shooting.

This is essentially the same language this body adopted last April by a vote of 416–5 during consideration of H.R. 2016, the National Landscape Conservation System Act, per an amendment offered by the gentleman from Pennsylvania (Mr. ALTMIRE).

I would close by noting that the trail designated by this bill follows the recommendations of a National Park Service study, and the Bush administration supports this legislation.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I yield myself such time as I may consume.

Over the July 4th holiday, my wife and I rented the movie 1776. It's one of my favorite ones. It has some historical accuracy, a lot of historical inaccuracies, but it's a fun movie.

In the exposition of that, to show John Adams's frustration at Congress at that time, he was called down to vote on a motion by Josiah Bartlett of New Hampshire, which is an effort that says that during the hostilities in which they are in, they shall dissuade any kind of dissipation, any extravagances, any gambling, or any horse racing. That is when John Adams explodes and goes out on the street, with the classic lines in his opening song, which says about Congress in 1776: We piddle, twiddle, and resolve not one—I can't use a swear word here, but it's in there—not one thing do we solve.

Now, the issue at hand in 1776 in Philadelphia was independence. They had already been fighting for a year. They had raised an army and appointed George Washington to do battle. Yet, they still refused to talk about the key sole issue of the day, which was independence. Instead, they talked about everything else, every small, piddly idea they could come up with, rather than coming to the core. And that was John Adams's frustration with that.

As I was watching that movie, I thought, Gee, that is exactly like Congress today. We are doing the same thing.

I have to admit that I have a sense of frustration with congressional leadership. It's a 4-hour flight for me to come back here. Yet, every week I have been coming back on that 4-hour flight to deal with non-issues. We haven't dealt with homeland security, we haven't dealt with the appropriations, we haven't dealt with energy issues.

Instead, the key issue of this week is to federalize a trail that already exists, that is controlled by local governments, and there is absolutely nothing, nothing the Federal Government can do on this trail that couldn't be accomplished by States and local governments through a well-written interlocal cooperation agreement.

The sponsor does not live in the area of this trail. It encompasses nine States. Not all of the Members of Congress who are impacted either in the trail area or abutting the trail area are cosponsors.

The other side cannot even refute how many people understand or know that this trail is going to be impacting their lives. The estimates we have are less than 10 percent are understanding about this.

Yet, the key issue is not necessarily the trail, because it's already there. The key issue is who will be making decisions in the future about this trail. If it were possible that everyone involved in this particular trail was happy about it, they liked the idea, they wanted it, but at some future date would like to make a decision about that trail, by passing this bill, all of a sudden we change the process and the place of that decision from localities back here to Washington.

It's about power, it's about where do you actually make decisions in America. It's about empowerment of individuals. This bill simply takes the decision-making process away from localities and puts it back here in Washington, where we have too many decision-making powers that we are already avoiding as is.

They did take one amendment of mine and they eviscerated it, an amendment that dealt with second amendment rights, an amendment that dealt with all second amendment rights. Yet, the issue at hand that is now part of the underlying bill through a self-executing rule only deals with hunting, not all second amendment rights, which was the goal and the idea and what should have been in place, which simply means that if I'm hunting, I'm okay on this trail. If I'm trying to protect myself, I'm not. If a mugger tries to attack me, I cannot protect myself unless first I'm trying to hunt the mugger. Or if a moose is shot by me, I better shoot it in the posterior because if a moose is charging me, no longer is that hunting, that is now self-defense, and that is not allowed with the amendment that came in here.

It is simply an absurdity of situations, and it's not an unrealistic absurdity. Even the Washington Post did a recent article about serial killers along the Appalachian Trail. It is not a false fear in there, it's a realistic fear. It's a realistic fear that will be noted that when the Democrats made this self-executing rule, they did not defend all of the second amendment, only the so-called hunting rights, which is not, not the purpose of the second amendment.

But this is now simply the only bill that we will have of significance today.

It's basically the crux of this entire week, which simply means Democratic leaders don't want to address other issues. Specifically, energy issues. There is no issue of comprehensive policy of what we will be doing to address the energy crisis the Americans are facing. The appropriations process has simply shut down over the potential of doing that.

So I fly back for 4 hours to come back here last week to talk about banning pet monkeys from crossing State lines. The week before, about the Chesapeake Bay. This week, I came back here so we could talk about a trail.

Mr. Chairman, in all due sincerity, this is nothing but legislative filler. We are not dealing with the real issues that affect people or should be affecting this Congress, we are dealing with the small stuff, the triviality, the legislative minutia. This is like junk food, like cotton candy. It's there. It's fluffy, it's airy. But it is not filling and has no fiber. It gives the illusion of activity, but in essence we are dealing with a cotton candy agenda.

We have in essence a Democratic de facto filibuster against energy, against ever talking about it in any way, shape, or form. Instead, we have a trail. A trail that already exists, a trail that would be federalized, a trail that encompasses more power back here in Washington, instead of allowing people to help make decisions for themselves.

With that, Mr. Chairman, I will reserve the balance of my time.

Mr. HINCHEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to illustrate the importance of this issue which we are dealing with here today and an issue in which I rise in strong support. It is a bipartisan effort to implement the National Park Service's study that Congress mandated back in the 106th Congress. It's an issue that has been pending for some time.

The National Park Service study recommended that we designate as a National Historic Trail this 600-mile route used by the allied armies under General George Washington and French Count Rochambeau in their epic march that led to the victory at Yorktown, Virginia, in 1781, and the independence of the United States of America.

The trail travels mostly along existing roads, throughways, and publicly navigable waters from Rhode Island down to Yorktown, Virginia. Designating the Washington-Rochambeau Revolutionary Route as a National Historic Trail will help spur a greater understanding of our shared history and will help illuminate the important battle of a young country and its French allies against the rule of King George.

I'd like to thank especially Chairmen RAHALL and GRIJALVA for moving this legislation through the hearing and markup process in the Natural Resources Committee. I greatly appreciate their support and assistance and that of their very capable staff.

This designation is important because we have identified the scope of resources that we need to more effectively commemorate this historic event. In particular, I am thrilled that the expanded involvement of the National Park Service to preserve and interpret the route will highlight to Americans, young and old, our earliest struggles as a country for our independent rule on behalf of all of the people of our country.

The designation also calls for the involvement of State and local historic organizations interested in commemorating the heritage of the American Revolution, with a particular focus on the States of Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and Virginia. It was on the 16th of December, 1999, that the Revolutionary War enthusiasts supporting a National Historic Trail designation of the Washington-Rochambeau Revolutionary Route organized themselves at the Washington headquarters in Newburgh, New York.

They advocated for the route essentially defined by the march taken by the Continental Army of General George Washington and by the French Army of Count Rochambeau on their way to their ultimate victory over British forces under the command of Major General Charles Cornwallis in Yorktown, Virginia, in 1781. The route also included the march of the French Army in 1782 as it returned back north up to Boston.

□ 1330

In a 1999 interview with the historical magazine ''American Heritage,'' renowned author David McCullough claimed that ''as you are working on the Revolutionary War, as I am doing now, you realize what the French did for us. We wouldn't have a country if it weren't for them,'' David McCullough said. For that America will be forever grateful for the army led by Rochambeau, and this trail will significantly symbolize our appreciation and dedication to our shared history.

I would like to thank all of the Revolutionary War enthusiasts, the National Park Service, and the many Members of Congress whose districts particularly host the route who have cosponsored this legislation. All of these participants helped make this designation possible. It is a designation that will raise to a much greater level the quality of heritage preservation all along the route by providing signage and other commemorative work directed toward linking the Allied encampments along the Revolutionary march with a self-guided auto route, auxiliary hiking trails and appropriate historical signs.

This commemorates one of the most significant events in the history of the United States of America. It is our major victory in the Revolutionary War, which led to the independence of our country, the foundation of our Constitution, the creation of the Bill of Rights, and the leadership that we have provided for the following centuries around the world. I am very much in support of this bill. I hope that every Member of this House of Representatives will vote for it.

Mr. Chairman, I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I yield to the gentleman from Illinois (Mr. SHIMKUS) such time as he may consume.

(Mr. SHIMKUS asked and was given permission to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Chairman, I come in support of the legislation. I served, as many people know, in the United States Army for 5 years actively, 23 in the Reserves, a West Point graduate, great respect for George Washington, who established the fortifications there at West Point, the longest active military installation in the country. Of course, this constitutional Republic owes a great debt of gratitude to the French, and it is unfortunate we have to use discussions on this to come to the floor and exercise our rights of freedom and speech to talk about a new Declaration of Independence. So with respect to the chairman, I hope he will indulge me.

When we talk about the day-to-day and we talk about around the Fourth of July, America knows that we are held captive to imported crude oil as energy and that we have to break away to become energy independent and free. There are a lot of ways that we can do that, and I believe there is a huge consensus in this Congress today. Unfortunately, that consensus is not being allowed to be brought to the floor, and that is why we have to use legislation like this to exercise our ability for free speech to talk about pressing concerns.

We all know the problem, and I have tried to change my debate and discussion away from the basic partisan aspects to just the realities. And the reality is when President Bush became president, the price of a barrel of crude oil was $23. I highlight it here. I don't shy away from that fact. When the Democrat majority came in, the price of a barrel of crude oil was $58. Yesterday, I haven't checked the spot price today, but yesterday's price was $140. And all I have said on this floor now for about 12 weeks is that this trendline is bad, this trendline for our economy, for our middle class, for our lower middle class, for rural America, is not sustainable, and that we have to address this. And we can. We can address it in a bipartisan manner on this floor. There are a lot of things we can do.

We have tried on this floor numerous times to bring alternative fuel standards, the debate of using American coal, the largest recoverable resource we have. We have the largest recoverable resource of coal as any country in the world in coal. People don't understand that, but we do. The Germans developed technology in World War II to

take coal and turn it into liquid fuel. Wouldn't that be helpful today in the high energy prices, to be able to take something that we have a lot of and turn it into liquid fuel to help us become more independent from the importation of crude oil, especially from dangerous places around the world, places that really don't like us and we really would like to not have to be there.

So when we talk about becoming energy independent, we would like to say we are always going to need some, so we have got North American allies, the Canadians, a great source of imported fossil fuels, Mexico, a great supporter of fossil fuels. Using that, using our own coal reserves and our other resources, we could become independent from imported crude oil from other places.

We are independent on energy for electricity. We produce in our country the electricity we need. So we can be independent. We are not independent on the energy we need in liquid fuel.

One way we do this is with our great coal reserves. I am from Illinois, 250 years worth of recoverable coal. You go to a coal mine, you build a coal mine, American jobs. You operate the coal mine, American jobs. You build a coal-to-liquid refinery, American jobs. You operate that refinery, American jobs. You actually have a tax base developed for our local schools.

You build a pipeline from these refineries to maybe the local airport. Four budget airlines are bankrupt. That means baggage handlers, ticket takers, pilots, planes sitting idle because they can no longer compete with the high aviation fuel. Well, you can make aviation fuel from coal-to-liquid technology,

The United States Air Force is the number one aviation fuel user in the world. Every time this barrel of crude oil goes up $1, it costs us, the taxpayers, $60 million just to pay the aviation jet fuel bill. They are asking us to do this. If we want to become energy independent, as we are speaking about the independence of our country, being free from foreign oppression, being free from foreign influence, we have to become energy independent.

Another way to do this is the Outer Continental Shelf. Great resources, billions of barrels of crude oil, trillions of cubic feet of natural gas, just waiting to be explored and recovered. These areas here in red are off limits by a dictate imposed by Federal legislators 25, 30 years ago, in a spending bill. We said in a spending bill you can't go off the east coast. You can't go in the eastern Gulf. You can't go on the west coast. It is off limits. So a way that we could become more independent, energy independent, would be to use our vast coal resources and to open up the Outer Continental Shelf. I have another chart here I forgot to bring that talks about wind and solar.

But the great thing about the Outer Continental Shelf is this: When we allow industry to look for, find and recover this, it is my understanding they have to pay us for that, and how they pay us is in royalties. So if we are going to use money for solar and wind and renewable energy, what a great place to get the pay-for.

I got a lot of Blue Dogs, they have been fighting the battle on pay-fors. What a great pay-for, to become energy independent by using the available oil and gas reserves, bringing more supply to the market, lowering the price.

It is all gain. There is no disadvantage to using our coal resources and creating jobs. There is no disadvantage to opening up the oil and gas reserves off the Outer Continental Shelf. And really there is no disadvantage into going into the Arctic National Wildlife Refuge, an area the size of the State of South Carolina, a drilling platform the size of Dulles Airport. To put it in perspective, take a football field and put a postage stamp on there.

When you hear people talk about the Arctic National Wildlife Refuge, it is not like Woodland Park in my hometown of Collinsville, Illinois. That might be a little bit disruptive if you are drilling. It is not disruptive in an area the size of the State of South Carolina.

So the frustration for me as a member of the Energy and Air Quality Subcommittee and the Energy and Commerce Committee is we can't even have this debate in the committee. If we could have this debate in the committee, if we could move a bill and get it to the floor, we could use that time to debate energy. But, unfortunately, we have to use this time on a historic trail that helps us remember where we come from, helps us remember our national heritage.

We have obviously the portrait of the Marquis de Lafayette right here in the Chamber. Remember when we have had trouble with our French friends, they were here when we needed them and were instrumental to this Republic, and we need to thank them. Anything we can do as a history teacher to remember history and strengthen it for future generations, I am for.

I just hope what we want to do in the history, I hope we are willing to do the same thing for future generations for energy independence. And I challenge my friends to bring on the environmental restrictions. We can meet them. But we have to have a whole portfolio. I am willing to join you, if you all let me.

With that, I would like to thank the ranking member for the time.

Mr. HINCHEY. Mr. Chairman, I yield 3 minutes to the gentleman from Connecticut (Mr. MURPHY).

Mr. MURPHY of Connecticut. I thank the gentleman from New York (Mr. HINCHEY).

I came to the floor today to speak about the underlying legislation, which is incredibly important to those of us who reside in Connecticut, where 340 miles of this proposed route lies, more than in any other State along this historic trail. But I can't sit here and not respond to some of the comments from our friends from across the aisle.

I appreciate this newfound interest in trying to make this country independent of oil outside of our bounds, independent of energy sources produced outside of the United States. The problem is that our friends on the other aisle who controlled this House of Representatives for 12 years are too late to the game.

It is a shame, a travesty, that we are sitting in this situation that we are today, not only with gasoline in Connecticut, where I come from, at $4.30 a gallon, but across this Nation families are being held hostage by a product produced and priced outside of this country.

We could have made different choices in this House if we had had leadership on the Republican side of the aisle, who controlled it for 12 years in conjunction with a President who sat in the White House for six of those years. We could have been in a very different place today. But we are not.

So, as Democrats, we are standing up, passing legislation to hold OPEC accountable for price fixing; investing in renewable resources to try to finally get this country off of that oil that we are far too addicted to; and going after those who would try to price-gouge and take advantage of the current economic situation. In all of those situations there are veto threats from the President and far too few of our friends from the other side of the aisle joining us. Now, there is consistency there. For 12 years they neglected the growing energy crisis, and now we don't have enough bipartisan cooperation across the aisle.

So I appreciate the fact that on a bill that is very important to those of us in Connecticut, that we have a little bit of an opportunity to talk about the crisis that is affecting American families. I just wish that our friends on the Republican side of the aisle had been doing a little bit more talking about this subject before we got here, the new members of this class. I wish that we had been talking about this 5 years ago and 10 years ago, and we wouldn't have to be talking about it in such grave terms here today.

Mr. Chairman, I want to talk just for one moment about how important this underlying bill is going to be to us in Connecticut, for it is important for us to celebrate our heritage. What makes us so great as a Nation is that we celebrate it, we respect it and we pass it on to new generations. And so when I look at that 340 miles of this historic trail that is going to lie in Connecticut, I think great things about what it is going to mean to have more resources and more Federal recognition for the students and the children who will walk that trail, who will visit the monuments and markers across it, and will have even more reverence for the history that brings us here today.

□ 1345

Graves of French soldiers still sit in Waterbury, Connecticut; the spot on which the Caleb Baldwin Tavern sat in Newtown.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HINCHEY. I yield 1 additional minute, Mr. Chairman.

Mr. MURPHY of Connecticut. I thank the gentleman from New York.

A historic tavern in Newtown, Connecticut where General Rochambeau and his troops made several stops continues to be talked about today as an important part of the historic tradition of Western Connecticut.

This is going to add to the historic legacy that of course makes us what we are in New England, makes us so proud of our very unique role in the making of this Nation. And what makes this Nation great is that even in moments of trial like we have today, with families faced with increasing costs of energy and health care and education, that we can come together and propose solutions. I just think that it is too bad that we didn't do something about this before this moment. I think it is too bad that we have to come to this floor in such a crisis mode as we do today. I wish our friends from across the aisle had done a little bit more when they controlled this House. I think that would have done a lot more to fulfill the legacy that we celebrate today than the moment that we are in right now.

Mr. BISHOP of Utah. I am pleased to yield to the gentleman from North Carolina (Mr. HAYES) such time as he may consume.

Mr. HAYES. I thank the gentleman from Utah for yielding.

As we stand here today, I think this is a good bill. We all support it. But as a segue into what the real issue for the American people and people here in this Capitol building is today, how can you afford the gas to drive or fly to go see the area that we are talking about today?

Our friend just talked about what happened. Well, Congressman SHIMKUS reminded us that during the 7½ years of the present administration, gas prices went up but not anywhere nearly as dramatically as they have in the 18 months since our friends across the aisle, the Democrat majority, has controlled. But let me make a very strong and separate point.

Many friends on the Democrat side, including the chairman and others, the person sponsoring the bill, these folks want to do what we, the minority, want to do. And that is, all of the above. There have been some neat things done by this House during my almost 10 years here.

CAFE standards. I voted for that. Better mileage. That is important. The American people have heard us, and they are working hard to conserve. Price gouging. That is a piece of the puzzle. I voted for that. Speculation. We have had hearings yesterday, today, tomorrow. That is an interesting subject. I support that to the extent it affects the issue before us today. But an attorney from a local university made the point today that speculation adds liquidity to the market. Excessive speculation causes problems. He hasn't told us where excessive begins.

But it is important that we look into every single issue that impacts our constituents at home, and that is the price of gas. My friend from West Virginia absolutely knows as well as anybody the importance of utilizing our coal resources. Thank goodness for West Virginia, among others, and their production of domestic energy resources.

As you look at our future and our economy, which includes, among other things, food prices, and you see what the incredibly outrageously high price of gas has done to us, you have to come to the conclusion and let those good people in both parties and on both sides of the aisle have a simple, straightforward vote on whether we are going to become more active in domestic energy resources.

Domestic energy. We have a small group of people, and they apparently have an unusual hold on the Democrat leadership. That group says no to nukes, no to coal, no to tar sands, no to expansion of refineries. We cannot afford and common sense does not allow for us to maintain that position.

I think it is extremely helpful that we are having a lengthy debate. And, again, a lot of good points have been made, but I will refresh everyone's institutional memory to the fact that this House, Republicans and Democrats, in previous terms before we had a switch in majority passed all of the legislation that we are talking about bringing up again today, including exploration drilling in ANWR and off the Outer Continental Shelf. However, our friends in the other body saw fit not to send that to the President's desk.

Well, the distinguished majority leader mentioned today how we should use our reserves. I could support that if it comes to the floor. But I am also on a letter, as many of you others are, telling the President to release the moratorium. We cannot afford, Democrats, Republicans, or anyone else, to leave our constituents hanging out to dry with unbelievably high gas prices.

So I support the minority leader's call for meaningful energy legislation, including votes on nuclear, votes on drilling which the American public has very clearly said, and at the same time I will reemphasize what the majority and minority, regardless of who is in that position, has said over and over again: Environmentally sound? Absolutely. Safely? Without question.

And again thanking you for the time, I wrap up by saying we, this body, regardless of party, has been guilty in the past of using lowered gas prices to conveniently forget how important independence and our future energy needs are.

So that is why I have a piece of legislation, and I would welcome any and every one to join me on, that says every additional dollar of revenue created by new leases will go to a trust fund that can only be used for alternative sources of energy. Wind, waves, solar, everything needs to be on the table, ethanol, methanol, biodiesel.

Gentlemen, I support your bill. But, again, let's get ourselves together and make sure that we get to vote on what the American people and the majority of this Congress want, and that is lower energy prices.

The CHAIRMAN. The gentleman from West Virginia has 17½ minutes remaining; the gentleman from Utah has 8½ minutes remaining.

Mr. RAHALL. Mr. Chairman, I yield myself such time as I may consume.

For some time now, the Democrats on this side have been watching our colleagues on the other side of the aisle time after time on bill after bill come to the floor and defend multinational oil conglomerates, and now they claim to be the friends of coal as well.

My colleague from Illinois (Mr. SHIMKUS) gave us a great presentation on coal-to-liquids, as has been done a number of times, and there is not much I can disagree with in his presentation about the coal-to-liquids. But it is, and the fact of the matter is, that it is pure and simple that it is the oil industry and their defenders here in the Congress that have time and time again undermined the viability of a true alternative fuels industry in this country. And let me back that up by example.

In the 1940s, the Synthetic Liquids Fuels Act passed the Congress and appropriated over $80 million for research and production. By the 1950s, America was producing thousands of gallons of synthetic gasoline a day at a test plant in Missouri. But the discovery of cheap oil combined with a lobbying effort by the oil industry caused the government to abandon its synthetic fuel research.

Let's hark back to the 1970s and that oil crisis that we all faced and the long gasoline lines. The Federal Government briefly pursued synthetic fuel production. But once again, when the price of oil receded, interest in coal-derived fuels faded. And here we are again, with oil prices and talk of synthetic fuels both on the rise.

The Congress has a duty, a responsibility to the American people to do much more than simply coddle the oil industry and let history repeat itself. We also need to do more to discourage foreign oil cartels from temporarily manipulating oil prices for the sole purpose of destroying a competitive domestic fuel source.

And if my friends on the other side of the aisle were serious about coal, they would be pressuring this White House to back away, the two oil men in charge, to back away from its cozy relationship with those cartels. Instead, they want to roll over and give Big Oil everything it wants, no strings attached.

Furthermore, the Republican-led Congress had 6 years under the Bush administration to go about making meaningful contributions to clean coal and coal-to-liquids fuels. If Republicans in Congress were truly serious about producing the next generation of these technologies, then we would already be seeing these technologies coming to light today and the capabilities thereof.

I would remind my colleagues on the other side of the aisle that in 2000, President Bush while running for office pledged to spend $2 billion over 10 years for a clean coal technology program, a program that the Democrats initiated in the 1980s. He never made good on that promise and allowed in only about half of the promised money while claiming credit for the full pledge.

During its tenure in leadership of the Congress, the Republican Party did nothing to buck the President's low balling for clean coal programs. Again and again, the President's party voted for his budgets to cut funds for clean coal research.

Now, if the other side were truly serious about supporting coal, they would have added funding to clean coal budgets and they would have done more to put coal on a more even footing with oil and gas. They did not, and now we are seeing the consequences of high energy prices that Americans are experiencing.

So the fact of the matter is that the energy challenges that our Nation faces demand more than rhetorical battles on the floor of this body. Certainly our constituents would agree, and they are feeling the energy pinch and deserve much better.

We need to put our energies into finding common ground to achieve real workable solutions to our energy problems. And towards that end, we need to be working on our energy challenge from two ends at the same time: The environmental end and the supply end. If we take that approach, then we can build a viable coal-to-liquids industry.

Unfortunately, too much of the talk in this body in recent weeks has been focused only on supply, and not enough of it has considered the environmental hurdles that we face.

As worldwide pressure mounts to address carbon emissions, the coal-to-liquids industry recognizes that to be economically successful, it must also be environmentally successful. But this administration has done nothing to help the coal industry address the environmental side of this energy challenge. So we need to invest more in environmental research and development, something that Democrats have been arguing for, but that our Republican colleagues during their 12 years in control of Congress have continually relegated to the back burners.

By failing to lay the environmental foundations for coal's future, this administration has opened the opportunity for foreign nations, most notably China, to bolster their coal fuels industry, putting our own Nation's future fuel production and economy at a disadvantage. This administration has failed to invest in new emissions technologies, technologies that we can use here and we can sell overseas; and, as a result, we risk watching worldwide emissions grow unchecked as we become more and more beholden to yet another set of foreign producers for our fuel, with China at the very lead.

So, Mr. Chairman, I say to my colleagues on the other side who keep coming to the floor on bill after bill and speaking about the energy crunch, which is indeed on the uppermost of every American's mind today and the high price of gas, that we do need to address this in a bipartisan way and in a way that uses all of our domestic sources of energy and in a way that does not coddle one domestic energy fuel over all others, especially when that energy fuel is trying for its own competitive advantages to put other domestic sources of energy at a disadvantage.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I apologize for starting out here with my old profession as a teacher coming out. But the gentleman from Connecticut and a couple of others on this floor have said some things that I think bear discussion simply as a review on the fundamentals of how legislative government works around here.

Outside in the hallway we have the distinguished Speakers. Most of them are the most recent ones, but there are the four that I always consider to be the four great speakers of this House, one of whom was Thomas Bracken Reed, who is the one that transformed this House from a minority body into a majority body. He is the one who determined, in fact he said: If the tyranny of the majority is harsh, the tyranny of the minority is unendurable. And he was the one who prohibited the practice of calling a roll call and then not allowing people to say ''here''; therefore, not having a quorum to conduct business. He forced the counting of a roll call, which made this from that time on a majoritarian body.

The problem we have over in the Senate is that has never been a majoritarian body; it will always be a minority body. It takes 60 votes to cut off the debate and move onward.

□ 1400

So even though today the Democrats have the leadership positions in both the House and the Senate, I would never jump to the conclusion or the inaccuracy of saying that the Democrats control Congress because the Democrats will not control the Senate until they have at least 60 votes there. It is a minority body.

In like manner, the conversation that Republicans controlled Congress for 12 years and didn't do anything has the same problem because in none of those 12 years did Republicans have 60 votes in the Senate. And, therefore, a minority body was actually in control.

We have had split government. We will probably always have some form of split government in that respect. But to assume that because there was leadership of both parties is not to assume the same basic core that goes along with that factor. And, indeed, over the last 5 to 10 to 12 years, there has been a great deal of energy discussion from this body, and when Republicans were in control of this body, there was a great deal of legislation dealing with energy that was passed in this body only to be prohibited from going through the entire process because this majoritarian body could pass something that the minority-controlled body on the other side could not do.

I appreciate the distinguished chairman from West Virginia of our committee speaking so passionately, especially about coal. I share that passion. We have a great deal of coal in my State. The only difference between the two is, unfortunately, the coal in the State of West Virginia is on private property.

I was so impressed when the chairman had a bill that dealt with wilderness and the coal companies were there to advocate for wilderness because it did not impact them. They were on private property.

In the State of Utah and much of the West, we have the exact opposite problem; the coal is found on public lands. And so I appreciate his commitment to the concept of coal, and even though it may indeed be a form of competition at some time in the future, I take his words as a commitment to try to work forward to try and free up the coal in the West that is on public lands so it can all be part of the energy solution that we are looking for in this Nation.

You know, we are talking about a bill that dealt with Washington. Washington led the troops in an era where he simply was out of ammunition. He had the opportunity of failing, but he did not allow it to be so because the American spirit worked out the details and then worked out the process so he overcame those competitions, those difficulties. The United States today is in the same situation. We are out of energy ammunition, and it is a significant problem for those who are on fixed incomes, the poor and the middle class. If you are rich, this energy problem which we face is merely an annoyance. If you are on a fixed income or a limited income, or if you are poor or middle class, then it becomes a significant life situation so that every dollar that they no longer can spend, that they now have to spend to energy on consumption, is a dollar that they can't spent on such luxuries as Hamburger Helper.

In this particular bill the Democrats accepted an amendment from one of the great young Republican freshmen from Virginia, Mr. WITTMAN. It is an amendment that is still part of this bill that aims to protect energy production and transmission in this particular trail system. It is a microcosm. It is

the appropriate thing to do. The real question then is why not? Why not do this same thing not just in this trail bill, but throughout this entire country so we can honor and protect to do that.

Mr. Chairman, what we are dealing with now is simply the concept of the future of where we are going. We can either find scapegoats or we can find solutions. I think it is time that both sides of the aisle look very carefully at trying to find solutions.

With that, Mr. Chairman, I yield back the balance of my time.

Mr. RAHALL. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Chairman, I just want to emphasize how the Members on this side of the aisle are completely dedicated to energy independence and doing everything that is possible to achieve that objective. We did much to try to achieve it during the 12 years that our friends on the other side of the aisle held the majority. But they were not interested at all in achieving that objective, or moving forward in any significant way, not even in any real way.

One of first things that we did when we achieved the majority here last year was to pass a very substantial energy independence bill which moves us strongly in that direction. Not as strongly as we would have liked, but we had to be a little less ambitious about it because we were threatened with vetoes as well as opposition from the other side of the aisle.

But what did we manage to achieve? We managed to achieve energy efficiency for automobiles, the first time that had been done in more than three decades. The first time that had been done in more than 30 years. We achieved a great increase in energy efficiency. We wanted to make it more substantial. We wanted to go as high as 40 miles to a gallon, but the President said he would veto anything like that.

What else did we do? We moved towards creating tax incentives for the creation and purchase of other means of energy independence such as direct and indirect solar energy, and we are working very strong on trying to achieve that, in spite of the fact that the White House has said they are not in favor of it, they are opposed to that and would veto that kind of legislation.

They say that we are not in favor of drilling for our own oil off our own coast. Well, the fact of the matter is that we are not opposed to that at all. We recognize that we now have more than 150,000 wells drilled on the land owned by the people of the United States of America on public land, some of it here on dry land in the lower 48 States and up in Alaska, and the rest of it offshore, mostly in the Gulf of Mexico. That's what we understand. In addition to that, we have 68 million acres of land that has been also leased to these major oil companies but because they do not apparently want to produce any more energy because they realize that if they produce more, then the price is going to go down, they are not drilling on those 68 million acres.

So the fact of the matter is we are moving as aggressively as anyone could, as intelligently as anyone could in the direction of trying to achieve greater energy independence for our country.

The Acting CHAIRMAN (Mr. SALAZAR). The gentleman's time has expired.

Mr. RAHALL. I yield the gentleman an additional minute.

Mr. HINCHEY. Recognizing that we possess probably less than 2 percent of the known oil reserves in the world, we are doing everything we can to use that small amount of oil reserves intelligently and reasonably and in ways that are going to last our people for a long, long period of time. And we are saying to the oil companies either use it or lose it. If you are not going to use those 68 million acres of public land on which you already have leases, then give them up and let us give them to someone else. Let us lease them elsewhere. Let's have some responsible people go down and drill those wells and produce the oil we need which will drive down the price.

So don't say that anybody over here is against drilling offshore. We are very much in favor of it, and we know that they have the leases to do it, and we are doing everything that we can to press them and pressure them to live up to their obligations and responsibilities in the leasing of the public lands that they now control.

Mr. CASTLE. Mr. Chairman, I rise today in strong support of the Washington-Rochambeau Revolutionary Route National Historic Trail Designation Act (H.R. 1286), which would designate the 600-mile route stretching from Rhode Island to Virginia traveled by Revolutionary War General George Washington and French General Count Rochambeau as a National Historic Trail, connecting the States of Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, and Virginia. The creation of this Trail will celebrate the Franco-American alliance and the victory of Generals Washington and Rochambeau who faced seemingly insurmountable odds. Importantly, H.R. 1286 will enable the National Park Service to support groups, projects, and activities associated with the trail's preservation and interpretation.

The Washington-Rochambeau Revolutionary Route National Historic Trail Designation Act was introduced to ensure that this history, in all its rich detail, is not forgotten. Although we often remember the victory at Yorktown, too often we lose sight of the heroic efforts of two nations, two armies, and two great men that made it possible. During this historic period the armies marched to Wilmington, Delaware, where the bankrupt Continental Army borrowed from Rochambeau to pay American troops. This designation has the strong support of many state, local, private, and public historic preservation groups and I urge my colleagues on both sides of the aisle to support its passage.

Mr. HOLT. Mr. Chairman, as a longtime cosponsor, I rise in support of H.R. 1286, the Washington-Rochambeau Revolutionary Route National Historic Trail Designation Act. Students of American history are intimately familiar with the Battle of Yorktown, in which French and American soldiers forced the surrender of British General Lord Cornwallis, effectively handing victory of the Revolutionary War to the American Colonies.

However many Americans are less familiar with what preceded it—a harrowing nine state, six hundred mile journey of more than 6,000 allied soldiers from Newport, Rhode Island, through my home state of New Jersey to Yorktown, Virginia. Many historians identify this march led by George Washington, General of the Continental Army and French General Count Rochambeau along a network of roads, trails, and waterways as critical to the American victory at Yorktown and the eventual creation of the United States.

In Philipsburg, New York on August 14, 1781, having learned that a large fleet of French naval vessels was heading from the Caribbean Sea to the Chesapeake Bay, Washington and Rochambeau discarded plans to siege New York City and march to Southeastern Virginia, where another celebrated Frenchman the Marquis de Lafayette and his 5,000 troops were outmaneuvering Cornwallis, forcing his British troops to bunker down in Yorktown. With little time to prepare, Washington and Rochambeau led more than 6,300 American and French troops on a southward march to Virginia.

H.R. 1286 is an important piece of legislation that comes at a critical time. Despite strong grassroots support from organizations like the National Washington-Rochambeau Revolutionary Route Association, and efforts at the state and local level, many historical sites associated with the American Revolution will be lost to development and suburban sprawl. This bill would designate the route as a National Historic Trail, allowing the National Park Service to preserve and link together sites along the trail. Moreover, this designation would preserve this important piece of America's heritage using existing roads and rights of way—without the federal acquisition of private lands.

Preservation of the Washington-Rochambeau route will allow American citizens and visitors alike to gain a greater appreciation of the magnitude and improbability of the American victory as well as the important and often forgotten role our French allies played in securing American independence. Americans need a sense of history and an understanding of history now more than ever. This trail tells an important story in American history, and I strongly urge my colleagues to join me in supporting this legislation.

Mr. COURTNEY. Mr. Chairman, I rise today in support of the Washington-Rochambeau Revolutionary Route National Historic Trail Designation Act, a wonderful piece of legislation which will preserve both our country's rich history but also its unique environment.

In the spring of 1781, French General Rochambeau and his army of nearly 5,300 men embarked on an expedition from Newport, Rhode Island, to Yorktown, Virginia, to aid General George Washington and the Continental Army in the American Revolutionary War. After traveling through Massachusetts, Rhode Island, and Connecticut, General Rochambeau joined forces with General Washington in Philipsburg, New York, forming a

Franco-American alliance. The Franco-American forces then traveled through New Jersey, Pennsylvania, Delaware, Maryland, and Virginia, eventually arriving at Yorktown. At Yorktown, General Washington and the Continental Army, with the aid of General Rochambeau and his men, secured a decisive victory against General Cornwallis, effectively igniting a successful end to the American Revolutionary War and laying the groundwork for the creation of our new Nation.

Mr. Chairman, the Newport to Yorktown route that General Washington and General Rochambeau led their forces through reflects an indispensible piece of American history. Today, we have an opportunity to preserve this historically and ecologically significant route by passing the Washington-Rochambeau Revolutionary Route National Historic Trail Designation Act. The legislation, introduced by my esteemed colleague, Representative MAURICE HINCHEY, will amend the National Trails System Act to designate the route as a national historic trail. Under this legislation, the Washington-Rochambeau Revolutionary Route National Historic Trail will preserve a corridor approximately 600 miles long, from Newport to Yorktown in nine States and the District of Columbia. The Washington-Rochambeau Trail will include a section in my district in eastern Connecticut.

During General Rochambeau's journey to Yorktown, communities in Connecticut served an invaluable role with ensuring the success of General Rochambeau's mission, supplying necessary supplies to his troops. In June of 1781, General Rochambeau and his men began their march through Connecticut before joining forces with General Washington in Philipsburg, New York. In eastern Connecticut, the army established camps in Plainfield, Windham, and Bolton before arriving in Hartford. On the return trip, in October 1782, the Franco-American force again marched through the State after victory in Yorktown. In total, General Rochambeau's army made 47 stops in the State between the journey to and from Yorktown. The Washington-Rochambeau Trail will preserve these sites and educate residents and visitors on the significance of this piece of American history.

Mr. Chairman, as urban sprawl continues to threaten the integrity of this route, the passage of this legislation is needed now more than ever. Many of Connecticut's avid historians and devout naturalists are anxious to celebrate the bill's passage. As a cosponsor of this legislation, I ask my colleagues to join me in voting in favor of the Washington-Rochambeau Revolutionary Route National Historic Trail Designation Act, to ensure this historic route is preserved for current and future generations.

Mr. RAHALL. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill, modified by the amendment printed in part A of House Report 110–744, shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the amendment in the nature of a substitute, as amended, is as follows:

H.R. 1286

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 ''Washington-Rochambeau Revolutionary Route National Historic Trail Designation Act''.

SEC. 2. ADDITION TO NATIONAL SCENIC AND NATIONAL HISTORIC TRAILS.

Section 5(a) of the National Trails System Act (16 U.S.C. 1244(a)) is amended by adding at the end the following:

''(____) WASHINGTON-ROCHAMBEAU REVOLUTIONARY ROUTE NATIONAL HISTORIC TRAIL.—

''(A) IN GENERAL.—The Washington-Rochambeau Revolutionary Route National Historic Trail, a corridor of approximately 600 miles following the route taken by the armies of General George Washington and Count Rochambeau between Newport, Rhode Island, and Yorktown, Virginia, in 1781 and 1782, as generally depicted on the map titled 'Washington-Rochambeau Revolutionary Route National Historic Trail', numbered T01/80,001, and dated June, 2007.

''(B) MAP.—The map referred to in subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

''(C) ADMINISTRATION.—The trail shall be administered by the Secretary of the Interior, in consultation with—

''(i) other Federal, State, tribal, regional, and local agencies; and

''(ii) the private sector.

''(D) LAND ACQUISITION.—The United States shall not acquire for the trail any land or interest in land outside the exterior boundary of any federally-managed area without the consent of the owner of the land or interest in land.''.

SEC. 3. ENERGY.

Nothing in the amendment made by section 2 of this Act shall prohibit or hinder the development, production, conveyance, or transmission of energy.

SEC. 4. HUNTING, FISHING, TRAPPING, AND RECREATIONAL SHOOTING.

Nothing in this Act shall be construed as affecting the authority, jurisdiction, or responsibility of the several States to manage, control, or regulate fish and resident wildlife under State law or regulations, including the regulation of hunting, fishing, trapping, and recreational shooting. Nothing in this Act shall be construed as limiting access for hunting, fishing, trapping, or recreational shooting.

The Acting CHAIRMAN. No amendment to that amendment in the nature of a substitute is in order except those printed in part B of the report. Each amendment may be offered only in the order printed in the report; by a Member designated in the report; shall be considered read; shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment; shall not be subject to amendment; and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. BISHOP OF UTAH

The Acting CHAIRMAN. It is now in order to consider amendment No. 1 printed in part B of House Report 110–744.

Mr. BISHOP of Utah. Mr. Chairman, I have an amendment made in order under the rule.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. BISHOP of Utah:

Strike the new subparagraph (D) added by the amendment in section 2, and insert the following:

''(D) LAND ACQUISITION.—The United States shall not acquire for the trail any land or interest in land—

''(i) outside the exterior boundary of any federally managed area without the consent of the owner of the land or interest in land; and

''(ii) acquired from a State or local government if that land was acquired by such government through eminent domain.''.

The Acting CHAIRMAN. Pursuant to House Resolution 1317, the gentleman from Utah (Mr. BISHOP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Utah.

Mr. BISHOP of Utah. Mr. Chairman, while this legislation prohibits the use of eminent domain by the Federal Government, it does not prohibit State or local governments from doing the same thing, in essence doing the same dirty work. So my amendment is very simple and clear. It prohibits the Secretary of the Interior from accepting lands from State and local governments that were acquired through eminent domain to expand this particular trail.

We are talking about George Washington and the Revolution. I think it is fitting to remember how strongly George Washington felt about ensuring private property and that his soldiers respected the property of civilians, even if they were a Tory sympathizer. He gave orders that forbid looting even though plunder was the norm of the time. And even though his men were hungry and dressed in rags, it is remarkable that in so desperate a situation with such a noble cause for which he was fighting, he imposed on his side such a high standard of conduct and a high respect of individual priority property rights.

In our world, the post-Kelo decision world, we cannot allow our constituents to fall victim to any abuse of power from any level of government that disproportionately attacks them, sometimes even disproportionately attacks those on the lowest level of our economic scales.

Mr. Chairman, I ask for a favorable vote to an amendment that simply says that the Federal Government will not accept land that is taken by eminent domain.

I reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, I rise to speak on the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from West Virginia is recognized for 5 minutes.

There was no objection.

Mr. RAHALL. Mr. Chairman, this amendment addresses a concern that is truly far beyond the likely impact of this bill. The bill expressly limits Federal condemnation of land for the trail which is all that should concern us here and the National Park Service. This amendment seems to be based on the assumption that the Federal Government in some smoke-filled back

room conspiracy-type of mind-set is going to conspire with State or local governments to have them condemn land and then turn it over to the Federal government.

First of all, I don't believe this happens often, if ever. We have really reached an extreme level of detail here where we have to legislate out to the far corners of what anybody might imagine might some day happen. But for the sake of argument, let's say that a State does decide to condemn land and pay the owner for his property. Such a decision will be up to the State or local government acting in what that unit of government believes to be the best interest of its citizens. Whether the State or local government subsequently conveys the land to the Federal Government is irrelevant.

And I might add, just for the record, this is not a trail like the Appalachian Trail which cuts across country and private property, it is more a series of signs like those gray historic markers you see along roads all over the country. Most of the route travels along public highways and roads. No private landowner will be forced to let tourists on their land, and the NPS anticipates no Federal acquisition at all.

But nevertheless, in the spirit of bipartisan cooperation and all that I have just said, we are willing to accept this amendment. We think that it is unnecessary, but we are willing to accept it.

I yield back the balance of my time.

Mr. BISHOP of Utah. I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Utah (Mr. BISHOP).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. PEARCE

The Acting CHAIRMAN. It is now in order to consider amendment No. 2 printed in part B of House Report 110–744.

Mr. PEARCE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. PEARCE:

At the end of the bill, add the following:

SEC. 4. ENERGY AND CONGRESSIONAL REVIEW.

The Secretary of Interior, in consultation with the Secretary of Energy and private industry, shall complete and submit to the Committee on Natural Resources of the House of Representatives, the Committee on Energy and Natural Resources of the Senate, and Senators and Representatives from the States affected by the designation, a report using the best available data and regarding the energy resources available on the lands and waters included in the Washington-Rochambeau Revolutionary Route National Historic Trail. The report shall—

(1) contain the best available description of the energy resources available on the land and report on the specific amount of energy withdrawn from possible development; and

(2) identify barrels of oil, cubic feet of natural gas, megawatts of geothermal, wind and solar energy that could be commercially produced, annual available biomass for energy production, and any megawatts of hydropower resources available, including tidal, traditional dams, and in- stream flow turbines, and any impact on electricity transmission.

□ 1415

The Acting CHAIRMAN. Pursuant to House Resolution 1317, the gentleman from New Mexico (Mr. PEARCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. PEARCE. Mr. Chairman, America is faced with an energy crisis today, and solutions have not been forthcoming under the current Speaker of the House or her leadership. The majority has failed in its effort to take any meaningful action to increase the domestic supply of energy for the American people. In a State like New Mexico, a very moderate income State, probably $25 to $30,000 a year is the average income, we find that the price of $4 gasoline is very difficult.

Last week in a story in the Albuquerque Journal, Associated Press talked about a young woman with cancer who was being treated almost 200 miles from her home. The family had to suspend visits by her young children to visit her because of the price of gasoline. Each day we're finding these sorts of impairments in our daily living while the majority simply says, we're in favor of energy.

I was listening with interest to the previous speaker, the gentleman from New York, and I would invite him to sign on a letter that we will be producing today that would go from the Speaker of the House to mention to President Bush about those 68 million acres of land that are not being used. Let's remove, first of all, the regulatory burdens that are stopping that land from being used and produced. In Utah alone, almost 1 million acres by one office which is 7 years overdue in putting out the land management plan that would allow people to move ahead.

Those are some of the acres that are moved from production that our friends talk about as if the greedy oil companies are sitting out here purposefully withholding production knowing that at all-time record highs, every company is producing every amount of oil and gas that they can get to, and they simply kind of twist the facts around.

So I would invite the gentleman to sign on to that letter indicating his willingness to press the President of the United States to push the BLM into getting these regulations out the door.

I would also be interested to see if the majority would recognize with us their failure in December by removing all shale oil from production. With one simple sentence in a bill in December, the majority removed almost 2 trillion barrels of shale oil from production, and again it tells me that maybe we have words on the House floor that differ from the words that are actually created in the votes.

I would also welcome our friends on the other side of the aisle to change their votes on the wilderness areas that removed over 100,000 acres from production because wilderness stops all development of oil and gas. And so again, I find some difference in the words that we hear on the House floor and the words that are actually put into place by law when we vote.

Additionally, there is a moratorium that limits 85 percent. We're told that the majority doesn't mind offshore production at all. Then go with us, sign a letter, and let's start producing just around the area, just in that spot where Cuba and China are drilling 47 miles off the coast of Florida. We have prohibited it ourselves through a moratorium in producing this oil and gas.

So I would ask the leaders of the majority party to go with me and sign on to this letter to take that one spot and let's allow American oil companies to produce where we're allowing the Chinese to produce within our Outer Continental Shelf area.

My amendment today to this House bill 1286 simply says that as we create this new trail system, we would like an accounting for all of the energy assets that are going to be affected by this bill. It's a very simple amendment.

The majority has, in fact, got a statement in the bill that says nothing will hinder, but too often we find that we do not know what has been hindered and what has not been hindered. So our amendment is very simple. Let's just get a report from the Secretary of Interior to tell us exactly what the stakes are, which resources might be limited, which might be hindered, and it's a very straightforward amendment.

I would appreciate if the majority would understand the reasons for this because we see every day that the American people are paying the price for the majority's opinion on energy. The opinion is that $4 gasoline is not too high, that in fact $4 gasoline will cause maybe a change within which we conduct our business; we ought to be converting to other forms of energy. The problem is we don't have wind cars, we don't have solar cars, we have no nuclear cars. America is on an oil and gas economy. We drive oil and gas cars, and as long as we limit the supply, we're going to drive the price higher.

It's not American consumption. American consumption actually has remained quite stable for the last 10 years. It's actually Chinese consumption. It's consumption from those developing countries around the globe that are pushing the price of oil higher.

Now, I did note with interest the comments that the majority party had done something for fuel efficiency. Actually, the majority party did nothing for fuel efficiency.

I ask for support for the amendment.

Mr. RAHALL. Mr. Chairman, I rise to speak on the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from West Virginia is recognized for 5 minutes.

There was no objection.

Mr. RAHALL. Mr. Chairman, in evaluating this amendment, I would ask that Members first read section 3 of the underlying bill which states, ''Nothing in this Act shall prohibit or hinder the development, production, conveyance, or transmission of energy.'' So by its own terms, H.R. 1286 will have no impact whatsoever on energy production.

The Pearce amendment would require the Secretary to assess the impact this trail designation will have on energy production. In other words, the Pearce amendment would require the Secretary to study impacts that would never exist. That's similar to a requirement that the secretary study the Tooth Fairy or the Easter Bunny. The bill says there will be no impacts, so studying them is impossible. Such a report would read in its entirety, ''We find no impacts on energy production because the bill prohibits them.'' Period. The end.

It is my hope that this amendment is simply a platform, and I think the sponsor of it has already used it for that to restate some of their talking points on energy production. It's my hope that no one could ever seriously suggest assessing the energy resources that might lie under George Washington's front lawn.

The first part of this amendment is completely unnecessary because the underlying language in the bill makes impacts on energy production a nonissue. The second part of this amendment contemplates oil rigs and wind farms in places that we would never allow them to be built.

So once again, as with the previous amendment, this amendment is not necessary. Therefore, I will not object to it.

I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New Mexico (Mr. PEARCE).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. RAHALL. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 424, noes 0, not voting 15, as follows:

[Roll No. 482]

AYES—424

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Bordallo
Boren
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Christensen
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Norton
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—15

Andrews
Boswell
Brown-Waite, Ginny
Conyers
Faleomavaega
Fortenberry
Fortuño
Frelinghuysen
Hill
Hulshof
Marchant
Pickering
Pryce (OH)
Rush
Waxman

□ 1449

Messrs. YARMUTH, WITTMAN of Virginia, HOEKSTRA, HOYER, HODES, McINTYRE, SOUDER and NADLER changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIRMAN. The question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The Acting CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. TAUSCHER) having assumed the chair, Mr. SALAZAR, Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1286) to amend the National Trails System Act to designate the Washington-Rochambeau Revolutionary Route National Historic Trail, pursuant to House Resolution 1317, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

PERMISSION TO CONSIDER AS ADOPTED MOTIONS TO SUSPEND THE RULES

Mr. RAHALL. Madam Speaker, I ask unanimous consent that the motions to suspend the rules relating to the following measures be considered as adopted in the form considered by the House on Wednesday, July 9, 2008:

House Resolution 1313, and House Resolution 1315.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The SPEAKER pro tempore. Without objection, respective motions to reconsider are laid on the table.

There was no objection.

WASHINGTON-ROCHAMBEAU REVOLUTIONARY ROUTE NATIONAL HISTORIC TRAIL DESIGNATION ACT—Continued

The SPEAKER pro tempore. Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MS. FALLIN

Ms. FALLIN. Madam Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Mr. FALLIN. I am in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Fallin moves to recommit the bill H.R. 1286 to the Committee on Natural Resources with instructions to report the same back to the House promptly in the form to which perfected at the time of this motion, with the following amendment:

Amend section 3 to read as follows:

SEC. 3. ENERGY.

Section 7 of the National Trails System Act (16 U.S.C. 1246) is amended by adding at the end the following new subsection:

''(l) Nothing in this Act shall prohibit or hinder the development, production, conveyance, or transmission of energy.''.

Mr. RAHALL. Madam Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

The gentlewoman from Oklahoma is recognized for 5 minutes.

Ms. FALLIN. Madam Speaker, America has slammed into an energy wall in the past 18 months, with gas prices escalating 70 percent since the beginning of the 110th Congress when the current Democratic leadership took control. Americans are now paying over $4 and change for a gallon of gasoline. This dire situation affects not only drivers, but ripples through all commerce of the United States, from the cost of food, to building materials, to tourism, to jobs, to health care, and in short, our economic security. Increased supply from our own American resources is one tool that we have in our tool box to help us get out of this mess.

This is a bipartisan solution, as demonstrated by Speaker PELOSI's recent request to President Bush to release oil from the Strategic Petroleum Reserve to help funnel more product to American refineries, and thus more gas to local gas stations.

While this is a small step in a positive direction, the Democratic-controlled House of Representatives has only compounded the problem of American energy supplies. The current leadership has scheduled and passed over a dozen bills from the Committee on Natural Resources alone restricting or potentially restricting energy development on the public lands of the United States. We also expect a package of over 60 more bills from the Senate before we adjourn, most of which will impact energy exploration and development on public lands.

The Democratic leadership of the House of Representatives has also failed to lift the congressional moratoria on the development of oil and natural gas resources from the Outer Continental Shelf. It has blocked access to over 1 million acres of uranium-rich lands in the southwestern United States, fuel which could be harnessed to produce clean, air-friendly nuclear energy. It has locked up oil shale and stopped energy transmission corridors across public lands. It has even tried to stop wind energy.

While this trail bill before us may seem like small potatoes, it is indicative of a larger problem. The more lands we place off-limits to multiple uses, including energy development, then the more we have to rely on others for our economic feedstock of energy.

This trail will affect lands and waters in more than nine States in very populous eastern areas and the mid-Atlantic region of America. At least, thanks to Congressman PEARCE's amendment, we will know exactly what energy resources will be impacted by this designation. This is not true for all trails designated under the National Trails Act.

Currently, there are thousands of miles of trails affecting every region of the United States, and with the trend in legislative activity in this Congress, we can certainly expect many more in the near future.

This motion to recommit will ensure that we do not inadvertently cut off crucial energy supplies during the current crisis when we designate trails under the National Trails Act. It expands on language authored by Congressman ROB WITTMAN, now in section three of the bill, which was readily accepted by both Democrats and Republicans during the markup of H.R. 1286 in the Committee on Natural Resources just 2 weeks ago. What is good for the Washington-Rochambeau trail should be good for all trails, wherever located.

And, Madam Speaker, as I just mentioned, this House just voted unanimously on an amendment by Congressman PEARCE for an energy assessment on this trail, so why should we prohibit or hinder the development, the production, the conveyance, or transmission of energy on any trail in the United States?

I ask for your support.

Ms. GIFFORDS. Madam Speaker, I would like to submit for the RECORD the following concerns and suggestions regarding certain sections of S. 2284, the Senate version of the Flood Insurance Reform and Modernization Act. These specific concerns were expressed to me by officials from the town of Marana, Arizona. They relate to the potential adverse effects these sections could have on the Marana community. I urge my House and Senate colleagues to take all of these concerns into consideration while negotiating the final version of this bill.

The specific concerns relating to Section 6 are the reason I voted "no" on the Republican Motion To Instruct Conferees that was offered on the floor today.

The town of Marana's concerns are as follows:

1. Section 6, Reform of Premium Rate Structure: Much of this Section seeks to disallow preFIRM (Flood Insurance Rate Map) rates for second homes, repetitive loss structures, substantially improved structures, commercial structures, and others. However, the current language could have unintended, adverse consequences. Of concern to Marana is Subsection (g)(1), which states:

''(g) No Extension of Subsidy to New Policies or Lapsed Policies.—The Director shall not provide flood insurance to prospective insureds at rates less than those estimated under subsection (a)(1), as required by paragraph (2) of that subsection, for—(1) any property not insured by the flood insurance program as of the date of enactment of the Flood Insurance Reform and Modernization Act of 2008;'' . . .

We are concerned that Subsection (g)(1) would preclude the writing of any new pre-FIRM policies after the enactment of the legislation. This could negatively affect residences that were built pre-FIRM but then placed into a floodplain by a subsequent map change after the legislation is enacted.

2. Section 7, Mandatory Coverage Areas: The intent of this Section appears to be the accurate portrayal of risk behind man-made flood control structures. Subsection 107(b)(1) reads as follows:

(1) include any area previously identified by the Director as an area having special flood hazards under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a);

This language would essentially require properties located in areas that had once been designated as floodplain, but since removed from the floodplain, to continue to carry mandatory flood insurance. Marana would like to point out that many Letters of Map Revision (LOMR) incorporate better information (hydrology or topography) than was available when the maps were originally created. These types of LOMRs do not involve physical construction and therefore the areas removed are not typically residual risk areas. Areas that are at a residual risk after a LOMR from a physical change would be accounted for in Subsection 107(b)(2), which reads as follows:

(2) require the expansion of areas of special flood hazards to include areas of residual risk, including areas that are located behind levees, dams, and other man-made structures

We recommend this language be revised. It is problematic in that it equates residual risk areas to Special Flood Hazard Areas (SFHAs). SFHAs are high hazard areas requiring normal flood insurance. Residual Risk areas typically require less flood insurance or preferred risk policies. Also, the language is not clear regarding man-made structures that are distinct flood control structures.

The language could be revised as follows:

(2) define residual risk areas to include areas that are located behind levees, dams, and other man-made flood control structures

3. Section 8, Premium Adjustment: This section overrides the practice of grandfathering original zone designations. Grandfathering has been an important part of the National Flood Insurance Program and has been used to help mitigate the impact of zone changes when flood maps are revised. Section 8 discredits floodplain management. Structures that are compliant with the code and mapping in effect at the time of their construction should be grandfathered and remain compliant.

Ms. FALLIN. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Does the gentleman from West Virginia wish to state his point of order?

Mr. RAHALL. Madam Speaker, I insist on my point of order and raise a point of order that the motion to recommit contains nongermane instructions in violation of clause 7 of rule XVI. The instructions in the motion to recommit address an unrelated matter within the jurisdiction of a committee not represented in the underlying bill.

The second reason, the motion to recommit uses the word ''promptly,'' as we all know, which kills a bill.

And third, the motion to recommit is the exact language already in the bill. That language states ''nothing in the amendment made by section 2 of this act shall prohibit or hinder the development, production, conveyance, or transmission of energy,'' the exact repeat language of the motion to recommit.

□ 1500

Therefore, I insist on my point of order.

The SPEAKER pro tempore. Does any other Member wish to be heard on the gentleman's point of order?

If not, the Chair will rule.

The gentleman from West Virginia makes a point of order that the instructions in the motion to recommit are not germane.

As recorded in section 937 of the House Rules and Manual, a specific subject may not be amended by a provision general in nature, even when of the same class as the specific subject. For example, as cited on page 719 of the Manual, to a bill relating to one State maritime academy, an amendment relating to all State maritime academies is not germane.

The bill as amended confines its attention to a single national historic trail designation. The instructions in the motion to recommit extend to all trails addressed by the National Trails System Act.

As such, the Chair finds that the instructions in the motion to recommit are not germane. The point of order is sustained. The motion is not in order.

MOTION TO RECOMMIT OFFERED BY MS. FALLIN

Ms. FALLIN. Madam Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. FALLIN. In its present form I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Fallin moves to recommit the bill H.R. 1286 to the Committee on Natural Resources with instructions to report the same back to the House promptly in the form to which perfected at the time of this motion, with the following amendment:

After the new subparagraph (D) added by the amendment in section 2, insert the following:

''(E) STATE AND LOCAL LAW.—All designated lands within the trail, including all Federal lands, shall be exclusively governed by relevant State and local laws regarding the possession or use of a weapon, including a concealed weapon.''.

The SPEAKER pro tempore. The gentlewoman from Oklahoma is recognized for 5 minutes.

Ms. FALLIN. Madam Speaker, yesterday in The Washington Post, there was a full-page article and more about a young couple who were camping in the Appalachian Mountains back in 1981 who were both murdered by a gentleman who had a handgun, who was deranged, and came upon their campsite and murdered them both. He went away to prison for many years, was paroled, was out in the public, and then went back up into the Appalachian Mountains 28 years later to kill two more people with a handgun.

Madam Speaker, I have a motion to recommit that would ensure in this legislation that the rights of States and local governments, within the trails area designation, to regulate possession and carrying of firearms will be unharmed by this legislation.

This bill does provide that the trails designation shall not diminish the right of States to regulate hunting, but it is silent on issues including the clear right to carry firearms. Despite the recent Heller decision affirming our second amendment right, the National Park Service still refuses to allow State and local gun laws to govern, unlike the U.S. Forest Service and the Bureau of Land Management. This motion to recommit will secure full second amendment rights along the 600-mile trail.

The second amendment is a critical right. We must protect our constituents against consequences of this legislation that could harm that right.

I can think of no better spokesperson for the second amendment right than the Father of our Country, George Washington. George Washington said of firearms: ''The very atmosphere of firearms anywhere and everywhere restrains evil interference. They deserve a place of honor with all that's good.'' He also said: ''A free people ought to be armed.'' I can't say it better myself.

The National Park Service has regulations that limit hunting and the right to carry or possess firearms even in States and localities where it is legally permitted. These regulations harm wildlife and the environment because local wildlife management officials are impeded in their work. Before any attempt is made to restrict the rights of gun owners and the second amendment defenders, this motion to recommit protects their legal existing rights now and in the future.

I urge my colleagues to support this motion to recommit.

Madam Speaker, I yield back the balance of my time.

Mr. RAHALL. Madam Speaker, I rise to oppose the motion to recommit.

The SPEAKER pro tempore. The gentleman from West Virginia is recognized for 5 minutes.

Mr. RAHALL. Madam Speaker, the form of the amendment, which calls on the House to promptly recommit the bill, as I know all Members realize, is a parliamentary tactic that kills the bill. That wording makes it perfectly clear that the motion is not about its subject. It is purely and simply another one of those ''gotcha'' votes.

A vote to recommit is a vote to kill this bill, which has the support of a long and bipartisan list of Members, a large and vocal constituency across eight districts and the District of Columbia, and the support of the Bush administration. Again, the current legislation as written has the support of the Bush administration. It has the support of the National Rifle Association.

To briefly address the substance of this issue, the bill before the House already reaffirms the right of gun owners and hunters by ensuring that current State management of fish and resident wildlife will remain unaffected by the bill. It should not be necessary to include this language because nothing in the bill would affect those State laws or regulations. Nevertheless, we have included this language already in the bill, which renders the motion before us wholly unnecessary.

The Trails Act has been around since 1968, and we have thousands of miles of trails all over the country, and all over the country hunting, fishing, trapping have flourished nonetheless. The bill already contains sufficient protections for gun owners. I repeat. The bill already contains sufficient protections for gun owners.

A vote to recommit is a vote to kill the bill. It's that simple, and I would urge all Members to vote ''no'' on this motion to recommit.

Madam Speaker, I yield back the balance of my time.

PARLIAMENTARY INQUIRY

Mr. WESTMORELAND. Parliamentary inquiry, Madam Speaker.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. WESTMORELAND. Madam Speaker, if this motion to recommit did pass, could the bill not be sent back to the committee from which it came and brought back on the next legislative day?

The SPEAKER pro tempore. As the Chair has reaffirmed, on November 15, 2007, at some subsequent time, the committee could meet and report the bill back to the House.

Mr. WESTMORELAND. Thank you.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Ms. FALLIN. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered, and the motion to instruct on H.R. 3121.

The vote was taken by electronic device, and there were—yeas 202, nays 211, not voting 21, as follows:

[Roll No. 483]

YEAS—202

Aderholt
Akin
Alexander
Altmire
Bachmann
Bachus
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Cazayoux
Chabot
Childers
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
Ellsworth
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fossella
Foster
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gillibrand
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hodes
Hoekstra
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marshall
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shea-Porter
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Space
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (FL)

NAYS—211

Abercrombie
Ackerman
Allen
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards (MD)
Edwards (TX)
Ellison
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gilchrest
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murtha
Nadler
Napolitano
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Sherman
Shuler
Sires
Skelton
Smith (WA)
Snyder
Solis
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NOT VOTING—21

Andrews
Boren
Boswell
Boucher
Brown-Waite, Ginny
Conyers
Deal (GA)
Fortenberry
Frelinghuysen
Gordon
Hill
Hulshof
Marchant
Markey
Neal (MA)
Pickering
Pryce (OH)
Rush
Slaughter
Waxman
Young (AK)

□ 1528

Ms. BEAN and Messrs. RANGEL and TANNER changed their vote from ''yea'' to ''nay.''

Mr. KING of Iowa changed his vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. RAHALL. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 345, noes 69, not voting 20, as follows:

[Roll No. 484]

AYES—345

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Bonner
Bono Mack
Boozman
Boren
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Buchanan
Burgess
Butterfield
Buyer
Calvert
Camp (MI)
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fossella
Foster
Frank (MA)
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hayes
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler
Napolitano

Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Platts
Pomeroy
Porter
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Weller
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

NOES—69

Barton (TX)
Bishop (UT)
Blackburn
Boehner
Brady (TX)
Broun (GA)
Burton (IN)
Campbell (CA)
Cannon
Coble
Conaway
Cubin
Davis (KY)
Davis, David
Doolittle
Duncan
Feeney
Flake
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Hall (TX)
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Issa
Johnson, Sam
Jordan
King (IA)
Kingston
Lamborn
Lewis (KY)
Linder
Mack
Manzullo
McHenry
Miller (FL)
Moran (KS)
Musgrave
Neugebauer
Nunes
Paul
Pence
Pitts
Poe
Price (GA)
Royce
Sali
Scalise
Sensenbrenner
Sessions
Shadegg
Smith (NE)
Stearns
Tancredo
Thornberry
Tiahrt
Walberg
Weldon (FL)
Westmoreland
Wilson (SC)
Young (AK)

NOT VOTING—20

Andrews
Boswell
Boucher
Brown-Waite, Ginny
Conyers
Deal (GA)
Doyle
Fortenberry
Frelinghuysen
Gordon
Hill
Hulshof
Marchant
Neal (MA)
Pickering
Pryce (OH)
Rush
Sherman
Slaughter
Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Less than 2 minutes remain in this vote.

□ 1537

Mr. GINGREY changed his vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES ON H.R. 3121, FLOOD INSURANCE REFORM AND MODERNIZATION ACT OF 2008

MOTION TO INSTRUCT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct on H.R. 3121 offered by the gentleman from Texas (Mr. NEUGEBAUER) on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 385, nays 26, not voting 23, as follows:

[Roll No. 485]

YEAS—385

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Brown (SC)
Brown, Corrine
Buchanan
Burgess
Butterfield
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Drake
Dreier
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inglis (SC)
Inslee
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
Kingston
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Tim
Murtha
Musgrave
Myrick
Napolitano
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—26

Bishop (NY)
Blumenauer
Boustany
Braley (IA)
Broun (GA)
Burton (IN)
Buyer
Cubin
Forbes
Giffords
Gilchrest
Higgins
Israel
King (IA)
King (NY)
Kirk
Klein (FL)
Latham
Loebsack
McCarthy (NY)
Murphy, Patrick
Nadler
Pallone
Roybal-Allard
Scalise
Weiner

NOT VOTING—23

Andrews
Boswell
Boucher
Brown-Waite, Ginny
Cleaver
Conyers
Deal (GA)
Doyle
Fortenberry
Frelinghuysen
Gordon
Hill
Hulshof
Marchant
McNulty
Mica
Neal (MA)
Peterson (PA)
Pickering
Pryce (OH)
Rush
Slaughter
Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that 2 minutes remain on this vote.

□ 1545

Mr. KLEIN of Florida changed his vote from ''yea'' to ''nay.''

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CONYERS. Madam Speaker, I took a leave of absence the afternoon of July 10, 2008, as I was attending to personal business. The following list describes how I would have voted had I been in attendance this afternoon.

"Yea"—on Pearce (NM) amendment.

"Aye"—on Motion to Recommit H.R. 1286.

"Yea"—Final Passage H.R. 1286—Revolutionary Route National Historic Trail Designation Act.

"Yea"—Motion to Instruct Conferees on H.R. 1321—Flood Insurance Reform and Modernization Act of 2007.

APPOINTMENT OF CONFEREES

The SPEAKER pro tempore (Ms. EDWARDS of Maryland). Without objection, the Chair appoints the following conferees:

From the Committee on Financial Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. FRANK of Massachusetts, KANJORSKI, Ms. WATERS, Messrs. WATT, CLAY, KLEIN of Florida, MAHONEY of Florida, BACHUS, Mrs. BIGGERT, Mrs. CAPITO, Messrs. GARRETT of New Jersey, and PRICE of Georgia.

From the Committee on Energy and Commerce, for consideration of sec. 302 of the Senate amendment, and modifications committed to conference: Messrs. DINGELL, BOUCHER, and BARTON of Texas.

From the Committee on Transportation and Infrastructure, for consideration of secs. 7 and 22 of the House bill, and secs. 107, 119, and 301 of the Senate amendment, and modifications committed to conference: Ms. EDDIE BERNICE JOHNSON of Texas, Messrs. BRALEY of Iowa, and GRAVES.

For consideration of secs. 7 and 35 of the House bill, and sec. 128 of the Senate amendment, and modifications committed to conference: Mr. TAYLOR.

There was no objection.

GENERAL LEAVE

Ms. WATERS. Madam Speaker, I ask unanimous consent that Members may have 5 days to revise and extend their remarks on the motion to instruct on H.R. 3121.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1286, WASHINGTON-ROCHAMBEAU REVOLUTIONARY ROUTE NATIONAL HISTORIC TRAIL DESIGNATION ACT

Ms. WATERS. Madam Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 1286, including corrections in spelling, punctuation, section and title numbering, cross-referencing, conforming amendments to the table of contents and short titles, and the insertion of appropriate headings.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

PROVIDING FOR CONTINUED BENEFITS FOR CERTAIN SENATE RESTAURANTS EMPLOYEES

Mr. BRADY of Pennsylvania. Madam Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2967) to provide for certain Federal employee benefits to be continued for certain employees of the Senate Restaurants after operations of the Senate Restaurants are contracted to be performed by a private business concern, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the gentleman from Pennsylvania?

There was no objection.

The text of the Senate bill is as follows:

S. 2967

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

SECTION 1. CONTINUED BENEFITS FOR CERTAIN SENATE RESTAURANTS EMPLOYEES.

(a) DEFINITIONS.—In this section:

(1) CONTRACTOR.—The term ''contractor'' means the private business concern that enters into a food services contract with the Architect of the Capitol.

(2) COVERED INDIVIDUAL.—The term ''covered individual'' means any individual who—

(A) is a Senate Restaurants employee who is an employee of the Architect of the Capitol on the date of enactment of this Act, including—

(i) a permanent, full-time or part-time employee;

(ii) a temporary, full-time or part-time employee; and

(iii) an employee in a position described under the second or third provisos under the subheading ''SENATE OFFICE BUILDINGS'' under the heading ''CAPITOL BUILDINGS AND GROUNDS'' under the heading ''ARCHITECT OF THE CAPITOL'' in the Legislative Branch Appropriations Act, 1972 (2 U.S.C. 2048);

(B) becomes an employee of the contractor under a food services contract on the transfer date; and

(C) with respect to benefits under subsection (c)(2) or (3), files an election before the transfer date with the Office of Human Resources of the Architect of the Capitol to have 1 or more benefits continued in accordance with this section.

(3) FOOD SERVICES CONTRACT.—The term ''food services contract'' means a contract under which food services operations of the Senate Restaurants are transferred to, and performed by, a private business concern.

(4) TRANSFER DATE.—The term ''transfer date'' means the date on which a contractor begins the performance of food services operations under a food services contract.

(b) ELECTION OF COVERAGE.—

(1) IN GENERAL.—

(A) RETIREMENT COVERAGE.—Not later than the day before the transfer date, an individual described under subsection (a)(2)(A) and (B) may file an election with the Office of Human Resources of the Architect of the Capitol to continue coverage under the retirement system under which that individual is covered on that day.

(B) LIFE AND HEALTH INSURANCE COVERAGE.—If the individual files an election under subparagraph (A) to continue retirement coverage, the individual may also file an election with the Office of Human Resources of the Architect of the Capitol to continue coverage of any other benefit under subsection (c)(2) or (3) for which that individual is covered on that day. Any election under this subparagraph shall be filed not later than the day before the transfer date.

(2) NOTIFICATION TO THE OFFICE OF PERSONNEL MANAGEMENT.—The Office of Human Resources of the Architect of the Capitol shall provide timely notification to the Office of Personnel Management of any election filed under paragraph (1).

(c) CONTINUITY OF BENEFITS.—

(1) PAY.—The rate of basic pay of a covered individual as an employee of a contractor, or successor contractor, during a period of continuous service may not be reduced to a rate less than the rate of basic pay paid to that individual as an employee of the Architect of the Capitol on the day before the transfer date, except for cause.

(2) RETIREMENT AND LIFE INSURANCE BENEFITS.—

(A) IN GENERAL.—For purposes of chapters 83, 84, and 87 of title 5, United States Code—

(i) any period of continuous service performed by a covered individual as an employee of a contractor, or successor contractor, shall be deemed to be a period of service as an employee of the Architect of the Capitol; and

(ii) the rate of basic pay of the covered individual during the period described under clause (i) shall be deemed to be the rate of basic pay of that individual as an employee of the Architect of the Capitol on the date on which the Architect of the Capitol enters into the food services contract.

(B) TREATMENT AS CIVIL SERVICE RETIREMENT OFFSET EMPLOYEES.—In the case of a covered individual who on the day before the transfer date is subject to subchapter III of chapter 83 of title 5, United States Code, but whose employment with the Architect of the Capitol is not employment for purposes of title II of the Social Security Act and chapter 21 of the Internal Revenue Code of 1986—

(i) the employment described under subparagraph (A)(i) shall, for purposes of subchapter III of chapter 83 of title 5, United States Code, be deemed to be—

(I) employment of an individual described under section 8402(b)(2) of title 5, United States Code; and

(II) Federal service as defined under section 8349(c) of title 5, United States Code; and

(ii) the basic pay described under subparagraph (A)(ii) for employment described under subparagraph (A)(i) shall be deemed to be Federal wages as defined under section 8334(k)(2)(C)(i) of title 5, United States Code.

(3) HEALTH INSURANCE BENEFITS.—For purposes of chapters 89, 89A, and 89B of title 5, United States Code, any period of continuous service performed by a covered individual as an employee of a contractor, or successor contractor, shall be deemed to be a period of service as an employee of the Architect of the Capitol.

(4) LEAVE.—

(A) CREDIT OF LEAVE.—Subject to section 6304 of title 5, United States Code, annual and sick leave balances of any covered individual shall be credited to the leave accounts of that individual as an employee of the contractor, or any successor contractor. A food services contract may include provisions

similar to regulations prescribed under section 6308 of title 5, United States Code, to implement this subparagraph.

(B) ACCRUAL RATE.—During any period of continuous service performed by a covered individual as an employee of a contractor, or successor contractor, that individual shall continue to accrue annual and sick leave at rates not less than the rates applicable to that individual on the day before the transfer date.

(C) TECHNICAL AND CONFORMING AMENDMENT.—The second and third provisos under the subheading ''SENATE OFFICE BUILDINGS'' under the heading ''CAPITOL BUILDINGS AND GROUNDS'' under the heading ''ARCHITECT OF THE CAPITOL'' in the Legislative Branch Appropriations Act, 1972 (2 U.S.C. 2048) are repealed.

(5) TRANSIT SUBSIDY.—For purposes of any benefit under section 7905 of title 5, United States Code, any period of continuous service performed by a covered individual as an employee of a contractor, or successor contractor, shall be deemed to be a period of service as an employee of the Architect of the Capitol.

(6) EMPLOYEE PAY; GOVERNMENT CONTRIBUTIONS; TRANSIT SUBSIDY PAYMENTS; AND OTHER BENEFITS.—

(A) PAYMENT BY CONTRACTOR.—A contractor, or any successor to the contractor, shall pay—

(i) the pay of a covered individual as an employee of a contractor, or successor contractor, during a period of continuous service;

(ii) Government contributions for the benefits of a covered individual under paragraph (2) or (3);

(iii) any transit subsidy for a covered individual under paragraph (5); and

(iv) any payment for any other benefit for a covered individual in accordance with a food services contract.

(B) REIMBURSEMENTS AND PAYMENTS BY ARCHITECT OF THE CAPITOL.—From appropriations made available to the Architect of the Capitol under the heading ''SENATE OFFICE BUILDINGS'' under the heading ''ARCHITECT OF THE CAPITOL'', the Architect of the Capitol shall—

(i) reimburse a contractor, or any successor contractor, for that portion of any payment under subparagraph (A) which the Architect of the Capitol agreed to pay under a food services contract; and

(ii) pay a contractor, or any successor contractor, for any administrative fee (or portion of an administrative fee) which the Architect of the Capitol agreed to pay under a food services contract.

(7) REGULATIONS.—

(A) OFFICE OF PERSONNEL MANAGEMENT.—

(i) IN GENERAL.—After consultation with the Architect of the Capitol, the Director of the Office of Personnel Management shall prescribe regulations to provide for the continuity of benefits under paragraphs (2) and (3).

(ii) CONTENTS.—Regulations under this subparagraph shall—

(I) include regulations relating to employee deductions and employee and employer contributions and deposits in the Civil Service Retirement and Disability Fund, the Employees' Life Insurance Fund, and the Employees Health Benefits Fund; and

(II) provide for the Architect of the Capitol to perform employer administrative functions necessary to ensure administration of continued coverage of benefits under paragraphs (2) and (3), including receipt and transmission of the deductions, contributions, and deposits described under subclause (I), the collection and transmission of such information as necessary, and the performance of other administrative functions as may be required.

(B) THRIFT SAVINGS PLAN BENEFITS.—After consultation with the Architect of the Capitol, the Executive Director appointed by the Federal Retirement Thrift Investment Board under section 8474(a) of title 5, United States Code, shall prescribe regulations to provide for the continuity of benefits under paragraph (2) of this subsection relating to subchapter III of chapter 84 of that title. Regulations under this subparagraph shall include regulations relating to employee deductions and employee and employer contributions and deposits in the Thrift Savings Fund.

(d) COVERED INDIVIDUALS NOT ENTITLED TO SEVERANCE PAY.—

(1) IN GENERAL.—Except as provided under paragraph (2), a covered individual shall not be entitled to severance pay under section 5595 of title 5, United States Code, by reason of—

(A) separation from service with the Architect of the Capitol and becoming an employee of a contractor under a food services contract; or

(B) termination of employment with a contractor, or successor to a contractor.

(2) SEPARATION DURING 90-DAY PERIOD.—

(A) IN GENERAL.—

(i) COVERED INDIVIDUALS.—Except as provided under clause (ii), a covered individual shall be entitled to severance pay under section 5595 of title 5, United States Code, if during the 90-day period following the transfer date the employment of that individual with a contractor is terminated as provided under a food services contract.

(ii) EXCEPTION.—Clause (i) shall not apply to a covered individual who is terminated for cause.

(B) TREATMENT.—For purposes of section 5595 of title 5, United States Code—

(i) any period of continuous service performed by a covered individual described under subparagraph (A) as an employee of a contractor shall be deemed to be a period of service as an employee of the Architect of the Capitol; and

(ii) any termination of employment of a covered individual described under subparagraph (A) with a contractor shall be treated as a separation from service with the Architect of the Capitol.

(e) VOLUNTARY SEPARATION INCENTIVE PAYMENTS.—

(1) SUBMISSION OF PLAN.—Not later than 30 days after the date of enactment of this Act, the Architect of the Capitol shall submit a plan under section 210 of the Legislative Branch Appropriations Act, 2005 (2 U.S.C. 60q) to the applicable committees as provided under that section.

(2) PLAN.—

(A) IN GENERAL.—Notwithstanding section 210(e) of the Legislative Branch Appropriations Act, 2005 (2 U.S.C. 60q(e)), the plan submitted under this subsection shall—

(i) offer a voluntary separation incentive payment to any employee described under subsection (a)(2)(A) of this section in accordance with section 210 of that Act; and

(ii) offer such a payment to any such employee who becomes a covered individual, if that individual accepts the offer during the 90-day period following the transfer date.

(B) TREATMENT OF COVERED INDIVIDUALS.—For purposes of the plan under this subsection—

(i) any period of continuous service performed by a covered individual as an employee of a contractor shall be deemed to be a period of service as an employee of the Architect of the Capitol; and

(ii) any termination of employment of a covered individual with a contractor shall be treated as a separation from service with the Architect of the Capitol.

(f) EARLY RETIREMENT TREATMENT FOR CERTAIN SEPARATED EMPLOYEES.—

(1) IN GENERAL.—This subsection applies to—

(A) an employee of the Senate Restaurants of the Office of the Architect of the Capitol who—

(i) voluntarily separates from service on or after the date of enactment of this Act, but prior to the day before the transfer date; and

(ii) on such date of separation—

(I) has completed 25 years of service as defined under section 8331(12) or 8401(26) of title 5, United States Code; or

(II) has completed 20 years of such service and is at least 50 years of age; and

(B) except as provided under paragraph (2), a covered individual—

(i) whose employment with a contractor is terminated as provided under a food services contract during the 90-day period following the transfer date; and

(ii) on the date of such termination—

(I) has completed 25 years of service as defined under section 8331(12) or 8401(26) of title 5, United States Code; or

(II) has completed 20 years of such service and is at least 50 years of age.

(2) EXCEPTION.—Paragraph (1)(B) shall not apply to a covered individual who is terminated for cause.

(3) TREATMENT.—

(A) ANNUITY.—Notwithstanding any provision of chapter 83 or 84 of title 5, United States Code, an employee described under paragraph (1) is entitled to an annuity which shall be computed consistent with the provisions of law applicable to annuities under section 8336(d) or 8414(b) of title 5, United States Code.

(B) SEPARATION DURING 90-DAY PERIOD.—For purposes of chapter 83 or 84 of title 5, United States Code—

(i) any period of continuous service performed by a covered individual described under paragraphs (1)(B) and (2) as an employee of a contractor shall be deemed to be a period of service as an employee of the Architect of the Capitol; and

(ii) any termination of employment of a covered individual described under paragraphs (1)(B) and (2) with a contractor shall be treated as a separation from service with the Architect of the Capitol.

(g) CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.—

(1) EMPLOYEES OF THE ARCHITECT OF THE CAPITOL.—Section 101(5) of the Congressional Accountability Act of 1995 (2 U.S.C. 1301(5)) is amended by striking '', the Botanic Garden, or the Senate Restaurant'' and inserting ''or the Botanic Garden''.

(2) DISABILITIES.—Section 210(a)(7) of the Congressional Accountability Act of 1995 (2 U.S.C. 1331(a)(7)) is amended by striking ''the Senate Restaurants and the Botanic Garden'' and inserting ''the Botanic Garden''.

(3) CONTINUING APPLICATION TO CERTAIN ACTS AND OMISSIONS.—For purposes of the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.) a covered individual shall be treated as an employee of the Architect of the Capitol with respect to any act or omission which occurred before the transfer date.

(h) DEPOSIT OF COMMISSIONS.—

(1) SENATE RESTAURANTS FOOD SERVICES CONTRACT.—Any commissions paid by a contractor under a food services contract shall be deposited in the miscellaneous items account within the contingent fund of the Senate.

(2) USE OF FUNDS.—Any funds deposited under paragraph (1) shall be available for expenditure in the same manner as funds appropriated into that account.

(i) EFFECTIVE DATE.—This Act shall take effect on the date of enactment of this Act and apply to the remainder of the fiscal year

in which enacted and each fiscal year thereafter.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HONORING THE LIFE OF JESSE ALEXANDER HELMS, JR., DISTINGUISHED FORMER SENATOR FROM NORTH CAROLINA

Mr. BRADY of Pennsylvania. Madam Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of House Resolution 1325 and ask for its immediate consideration.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to request of the gentleman from Pennsylvania?

There was no objection.

The text of the resolution is as follows:

H. RES. 1325

Whereas Jesse Alexander Helms, Jr., born in Monroe, North Carolina on October 18, 1921, spent a 52-year public career dedicating himself to his country, his family, and his home State, representing North Carolina in the United States Senate for 30 years;

Whereas Jesse Alexander Helms, Jr., served in the United States Navy from 1942 until 1945;

Whereas Jesse Alexander Helms, Jr., was educated in the public schools of Monroe, North Carolina, and at Wingate Junior College and Wake Forest College, and served as a city editor of the Raleigh Times, an administrative assistant to United States Senators Willis Smith and Alton Lennon, an executive director of the North Carolina Bankers Association, a member of the Raleigh City Council, and a television and radio executive;

Whereas Jesse Alexander Helms, Jr., was elected to the United States Senate in 1972, and served as Chairman of the Senate Foreign Relations Committee and the Senate Agriculture Committee, ultimately serving five terms, equal to the longest service of any Senator from North Carolina;

Whereas Jesse Alexander Helms, Jr., was a leader against Communism and became the first legislator of any nation to address the United Nations Security Council;

Whereas Jesse Alexander Helms, Jr., was married for 65 years to Dorothy ''Dot'' Coble Helms, whom he termed his ''best friend'', and Jesse Alexander Helms, Jr., is the father of three children; and

Whereas Jesse Alexander Helms, Jr., made valuable contributions to his community, State, Nation, and the World: Now, therefore, be it

Resolved, That the House of Representatives—

(1) honors the life, achievements, and distinguished career of Jesse Alexander Helms, Jr., public servant and former Member of the United States Senate; and

(2) expresses its condolences to his wife, ''Dot'', and his three children on his passing.

The resolution was agreed to.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

(Mr. BLUNT asked and was given permission to address the House for 1 minute.)

Mr. BLUNT. Madam Speaker, I yield to my friend from Maryland, the majority leader, to tell us what is planned for next week.

Mr. HOYER. I thank my friend, the Republican Whip, for yielding.

On Monday, the House will meet at 12:30 p.m. for morning hour and 2 p.m. for legislative business, with votes postponed until 6:30 p.m. On Tuesday, the House will meet at 9 a.m. for morning hour and 10 a.m. for legislative business. On Wednesday and Thursday, the House will meet at 10 a.m. for legislative business. On Friday, no votes are expected in the House.

We will consider several bills under suspension of the rules. The complete list of suspension bills will be announced by the close of business tomorrow.

In addition, we will consider H.R. 415, a bill to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers.

In addition, we will consider H.R. 5959, the Intelligence Authorization Act for Fiscal Year 2009; H.R. 3999, the National Highway Bridge Reconstruction and Inspection Act; and, we may also consider important energy-related legislation.

Mr. BLUNT. I thank the gentleman for that information.

On H.R. 415, the Taunton River bill, the Wild and Scenic Rivers bill, does the gentleman know, does the location change at all? Or was it the location that was on the bill that earlier was scheduled for this week?

Mr. HOYER. In response, if the gentleman would yield.

Mr. BLUNT. I will.

Mr. HOYER. It is the same bill.

Mr. BLUNT. I think one of our concerns about that on the energy topic, which I would hope to go to for a few minutes next, is there was a proposed liquid natural gas facility in that area that I think this designation will impact unless it is defined somehow out of that. And if the gentleman wants to respond to that, I would yield.

Mr. HOYER. I thank the gentleman for yielding.

There is an extensive letter to all of our colleagues from Congressmen FRANK, MCGOVERN, KENNEDY, LANGEVIN, and LYNCH.

I don't want to read the whole letter; but responding to the points in question, I am looking at the letter to see whether or not—one of the points they make is that notwithstanding this bill there are several barriers to this proposal going forward, that is the LNG plant. Killing the bill that would provide environmental benefits to people of our districts would in no way save the LNG plant from the rejection it has already received. The point being, and I have not read the entire letter, but that there are other impediments apparently to moving forward on that LNG plant. As I say, it is a long letter, I haven't read it fully, but I do know that each one of the points that was raised in the article today have been responded to and therefore will be the subject of debate once the bill is considered.

Mr. BLUNT. I thank the gentleman for that. And that is exactly right. That will be a bill to be debated, and leaders shouldn't be expected to know everything about every aspect of that, and particularly on a bill that will be debated. I would assume that this designation would create an additional obstacle, and there may be other obstacles already in place and I am sure that will be part of the debate.

The gentleman's last comment about work for next week indicated that there may be other energy-related bills scheduled for the floor next week. Does the gentleman have a sense of what some of those options might be, and which ones may be more likely to be on the floor next week?

I would yield.

Mr. HOYER. I thank the gentleman for yielding.

Yes. As you know, we have been talking about, on both sides of the aisle, developing greater domestic supply from that which we have control over here in this country. I think both sides agree that that is an objective that ought to be pursued. The differences have been I think where that should be done at least in the short term, maybe not in the long term.

In the short term, it is our belief that there is very substantial areas available for further exploration and development of energy resources from our own country. As the gentleman may have heard me say on the floor earlier today, there is about 88 million acres that we believe is currently available for leasing that experts indicate are prime opportunities for finding, drilling, and producing energy for our country. We may well consider legislation which will try to accelerate, particularly in Alaska, where there is 23 million acres in the National Petroleum Reserve area designated and approved by the Congress for drilling, where approximately 1 million acres of that has been currently let for lease but there are substantial millions of acres still available. So we may well have legislation which will direct the administration to accelerate the leases for that area and speed the development.

In addition, we may well include in that legislation the Use It Or Lose It bill, we had disagreements on whether that was appropriate, which essentially says to companies: Don't inventory large segments. If you are not going to use it, let's get it back and give it to some who may well use it at this point in time. Again, an opportunity to accelerate the exploration and securing of oil within our control here in this country.

In addition, that legislation I think will include a requirement that any oil petroleum products that are produced as a result of this legislation or as a result of these leaseholds being extended, that petroleum would need to be used

in the United States of America, not exported to Japan or to other nations.

You had in a piece of legislation that you had in 2005 a similar provision. I can't recall the phrase right now, but essentially requiring due diligent requirement as they proceeded with the leases to develop the energy. So we think our Use Or Lose It is, while not exactly what you include in your 2005 bill, certainly a similar objective of saying: You get the leases, let's develop the oil.

We will also be calling I think in that legislation, Mr. Whip, on the President to pursue finishing construction of the natural gas and the oil pipelines from Alaska as soon as possible. If that requires resources, for the administration to ask for those resources.

We share again a view that it is prudent for us to develop all of the lands that we currently have available. And pretty significant, again, I don't know whether you were there, but the 88 million acres essentially covers Maine, New Hampshire, Vermont, Massachusetts, Connecticut, New York, Delaware, New Jersey, and most of Maryland. So a pretty large area that is available now.

So we want to pursue that, but clearly want to see further exploration, further drilling, and further utilization of our own resources here in this country, all with the view of bringing prices down.

Now, we don't know specifically why prices have spiked so rapidly, but we are very concerned about it. As you have heard me say before, prices during the last 8 years of the nineties went from $1.06 to $1.46, about one nickel a year. Prices during the last 7½ years have spiked from that $1.46 to now $4.15 or so. All the energy policies that have been adopted have obviously been adopted in the last 7½ years with President Bush's signature. There is no energy bill that is passed without his signature. So that we believe that we have not been successful over the last 7½ years of getting an energy policy in place which has given us independence and provided for stable prices.

□ 1600

Both the President and proponents of the 2005 legislation, which I voted for, by the way, because I think we need to seek energy independence, but the proponents of that bill indicated 3 years ago that it would keep prices down and make sure that we had supply. That hasn't been the case. Obviously, that was not the intent of anybody who was for the bill that that wouldn't happen, but that is the legislation that we currently are looking at. We are developing that now and trying to write the language essentially with the objective of utilizing the 88 million acres that we currently have authorized on which to drill because we think that is the quickest way to proceed.

Mr. BLUNT. In that regard, on the 2005 energy bill that I voted for and the gentleman just said he voted for, I think we did head things in the right direction. Of course from the 6 years prior to 2007, energy gas prices increased by about 50 cents a gallon; and in the 17 months since then, they have better than doubled. Everybody can take the numbers and do lots of things with them. Nobody likes the doubled number. There is no doubt about that.

In one of the early bills, I think it was H.R. 6, actually this Congress voted to repeal the incentives that we put in that bill that you and I voted for in 2005, the House voted to repeal those incentives which would have made it easier to promote the NPRA drilling area. I think maybe the position we would hopefully take in the future would be that we would want to continue to make those things easier to do rather than harder to do.

I would also say in terms of the 68 million acres, I have heard that a lot and I am sure we will continue to hear it a lot. Number one, not all of that land has oil or gas on it. Two, even if it does, you don't drill on every acre to drain this important resource from it. We are all going to learn a lot more about the gas and oil business, even than we know today, and my guess is that we know a lot more than we did even 6 months ago.

I do know in the last 6 years, as we frankly have accelerated exploration, that lawsuits to slow down exploration have gone up 718 percent in the last 6 years.

So if we want to deal with things like lawsuits and trying to expedite the process, that's a very appropriate thing to do, and at that point it is even more appropriate to hold people to their strict lease standards that they have.

The 22 million acres in Alaska, while that is some place we ought to look for both oil and gas, I don't know that we are going to be in an either/or environment, and particularly in this case where we want to look at what makes the most sense the quickest. I would also mention to the gentleman that we have a bill on the ANWR itself, it is H.R. 6107, that already adopts that principle that none of the petroleum coming out of there would go anywhere but to the United States. So many are already cosponsoring legislation that accepts that principle. It is a principle that if it's an easy way to open up new resources, I think it is something that we should be talking about and making sure that we get it just right. We do not want to assume that the oil companies can be micromanaged by Congress. We want to do what we can to make sure that we are producing American energy in the maximum way, and also understand that every oil lease does not result in oil. If it did, my good friend and I could open up Hoyer & Blunt and become oilmen if we could just get a lease. A lease doesn't mean there is anything there, but we ought to be sure that these leases are being vigorously pursued. We also should be sure that we are doing anything we reasonably can do to remove impediments, whether those impediments are lawsuits or the language that was in H.R. 6 that the House of Representatives passed. The Senate didn't pass it so the law didn't change, but the message to people out there looking for oil is that there is a new sheriff in town and the rules are different than they were under the old sheriff, and maybe we ought to get out of town.

A lot of this hesitancy about exploring could result from debates right here on the floor. We want to do things in debate, and I take my friend's word that he wants to, too, that encourages exploration, not discourages exploration.

I yield to my good friend.

Mr. HOYER. You mentioned H.R. 6. First of all, as you heard in my list, we are not contemplating adding that into this legislation that we might be considering. However, let me say this, very honestly. You and I both, I think every Member in this body very much supports the free market system. We have found it provides the greatest good for the greatest number throughout the world.

In 2005, you put incentives in the bill, $14 billion worth of tax breaks for oil companies. Oil was then, as you point out, about half of what it is bringing today at the pump. The free market system, in my view, is if you are getting a high price for your product, you try to produce more of it and you try to find more of it. The oil companies are earning the highest price that they have ever received in the history of the sale of oil. That ought to be the incentive, not taxpayers who are paying the highest price at the pump they have ever paid, also having to pay higher taxes because the oil companies are getting an incentive of $14 billion of tax cuts to incentivize what ought to be incentivized by the price that they are getting for their product.

I want to say further that the information I have, and I think you will find this interesting, is that Exxon made $40 billion in profits last year. I am informed $32 billion of that profit was spent to buy back stock. Not to do additional research, not to drill in America or any place else, but $32 billion to buy back their stock. Obviously that did have a very good effect on those stockholders who remained because their equity clearly went up. I do not criticize that, but I point it out because it was not spent either to produce more oil product, petroleum product, or to pursue alternative energy sources which we think is important which is what we will use the $14 billion in H.R. 6, whether it was hybrid cars, ethanol research, water, wind, hydroelectric, or from my perspective, nuclear.

Let me also say that I understand what you are saying, but when we talk about this 68 million or 88 million acres, let me give you this point. The oil and gas companies hold leases on these 68 million now, land and water.

They are not producing on these acreage, and 81 percent, according to experts, of the estimated oil and gas resources on Federal lands and the OCS are currently available for development in these reserves, and they are equal to 107 billion barrels of oil and 658 trillion cubic feet of natural gas.

So what we are saying and what we will say in this legislation is that you have about 14 years supply here for America if you would develop this 107 billion barrels of oil or 658 trillion feet of natural gas on the land or offshore that you currently have leases on.

So I think this is a good debate to have, and ultimately hopefully at some point in time we will get through the politics of this issue on both sides and we will get to a point where frankly we develop this.

But I will also tell my friend that if we focus only on petroleum, we will not serve your young son or my grandchildren—you are much younger than I am—or my grandchildren very well because I will tell you, and as you know, I have a great granddaughter. She is 18 months of age. When she is my age, petroleum will not be her major source of energy. We know that. Petroleum is a wasting resource. By that I mean it is a resource that is going to go away. We don't know how much is left. Experts don't know how much Saudi Arabia still has. But we need to pursue vigorously alternatives while at the same time, as you and I would agree, developing that 107 billion barrels that we have here in this country that are currently available for lease.

Frankly, if the companies tell us that they really can't produce from that, then maybe we ought to look at other sites as well. But certainly it seems to us, you ought to use what you have first; and if that doesn't work, we ought to go on to a second or third or fourth site.

I thank the gentleman for his tolerance in my taking that time.

Mr. BLUNT. I thank the gentleman for that. I am old enough now that I never argue with anyone who suggests I am a lot younger, even if I am not a lot younger. My children and grandchildren, too, I think, will live in a world much different than the world we are in right now; but it will take awhile to get there. And I absolutely agree we should be at an all-systems-forward effort to find the next technology, and while we are finding the next technology, to use the resources we have as an economic asset, not to see them as an environmental hazard. We need to get there. We need to have a debate that gets us there.

We are going to have some figures that we are going to disagree about. It is hard with these sort of believed reserves to know what they are. I personally think I will have a lot of facts that suggest that 81 percent of the known reserves in oil and gas are not in those 68 million acres, but I am also for pursuing those 68 million acres vigorously.

The oil shale in the West, we had a hearing last week that only members of my party attended because we wanted to talk about this whole issue of what this Congress could have done, and just the oil shale amounts in the West that I think are not calculated into your figure are hugely significant in how we use our resources in the future. We want to do that. We want to remove obstacles.

On the $14 billion, and we have debated this before and I am not going to spend a lot of time on this, but I think everybody in this room understands that $14 billion so-called tax break for the so-called oil companies is their part of the domestic manufacturing tax incentive that every American business gets. Now if we want to take that away from companies that are successful, that's a different principle. Maybe we take it away from computer companies. Who do we take it away from? We want those jobs here. That is what that is about. I would like to have that debate one of these days about whether or not those manufacturing jobs need to be here. We think that they need to be here for every other industry in the country. Why is this the one industry where we say, they are going to manufacture here anyway, particularly based on everything we know about the worldwide oil challenge we face, why would we want to do anything that would encourage the oil product to be refined somewhere outside of this country? That is what that domestic manufacturing incentive is for. I think every time when we talk about this as a big tax break for the oil companies, it sounds like we have gone into the tax law and said if you are an oil company, you get something that nobody else gets. What we have done in the tax law is say if you are an oil company and you refine a product, if you manufacture a product, if you produce a product in this country, you get exactly what everybody else gets that makes that decision to make their computer in Texas instead of Romania. That's what that incentive is.

Now, every time it is discussed on the floor, it is this big benefit that was just designed for the oil companies, and that is just not the fact. It is a domestic manufacturing benefit.

Mr. HOYER. Will my friend yield just on that?

Mr. BLUNT. I yield.

Mr. HOYER. I just want to say that I understand what you have just said. But, of course, they never did have that until the 2005 bill, or one of the tax bills that was passed around that time. Prior to that time, the manufacturers had that, as you observed, that's correct, but the oil companies were never included in it originally or for long periods of time. They were added just in the last 2005 or 2006 or 2004, I am not sure exactly which bill added it. So it is not as if that had been in place when the tax to which you refer, the incentive to which you refer, was originally included in the code.

Mr. BLUNT. I thank my friend, but part of the unfortunate circumstance we find ourselves in is, as we have restricted access to some of our own supply, we in fact saw in the last decade that this industry that had been forced to be totally domestic, and we hoped it could be totally domestic again, was sending jobs out of the country because we were bringing in refined product for the first time.

□ 1615

Because we were bringing in refined product for the first time, we were doing other things that the Congress should want to reverse.

One other topic I have today, and I look forward to a good debate on these energy issues. I would hope these energy issues could come to the floor under a rule, by the way, and I would ask my friend if there is any plan to bring the energy bills that he would hope to bring to the floor in the next week, 2 weeks, 3 weeks with a rule that allows more than a 40-minute debate on a suspension bill.

And I would yield.

Mr. HOYER. That's under discussion. As I said, we're discussing the component parts of the bill. We haven't decided how that bill will come to the floor. But I will certainly look forward to discussing it with you.

Mr. BLUNT. I thank my friend. I think that will be a helpful addition to this debate.

You know, when you have a suspension debate on a bill, particularly a bill that maybe has a majority but it can't get a suspension number, you check a box but you really don't move the agenda forward. I would hope that we could see some of these under rules.

My final topic of the day, unless you raise another one, is I read in the Associated Press just yesterday that the chairman of the Appropriations Committee, Chairman OBEY, announced that the House will not consider a single appropriations bill this year. If that was true, this will be the first time in at least 22 years, maybe ever, that the House has failed to consider a single appropriation bill in any given session.

The committee has passed five bills that are out of full committee ready to go to the floor: Homeland Security; Military Construction; Energy and Water; Commerce, Justice, Science; and Financial Services. And I guess I'm asking my friend to verify whether or not the chairman's view on this is the view of the majority, and if we would expect not to see any appropriations bills on the floor.

And you can take this question in whatever order in July, in August, or as he said, this year.

And I would yield.

Mr. HOYER. I thank the gentleman for yielding.

I cannot confirm, because I haven't seen the report on that, nor has the chairman told me that he made such an announcement. I did read an article in which he indicated that he thought that might be the case.

As you know, he tried to move the Labor-Health bill through to markup

through the full committee, and as you know, the ranking member moved to substitute the Interior bill rather than do the Labor-Health bill.

The chairman believed he was pursuing the regular order. I have never seen, in the 23 years that I served on the Appropriations Committee, one of the appropriations bills substituted for another one of the appropriations bills in the appropriations process.

So a lot of unusual things are happening, unfortunately. And we haven't been pursuing regular order. I lament that, personally. I think that we ought to do that.

I will say that last year, as you know, we passed every appropriations bill through the House of Representatives by the August break. We had some difficulty at the end doing that, but we got them all passed. And we passed them all in the year, in the calendar year that we were supposed to pass them, not in the fiscal year, in December. As you know in a number of years we didn't do that until the following year: nine one year, eight the other passed in January, the end of January or the middle of February, as I recall, 2 years. I forget whether it was 2004 and 2005 or 2005 and 2006.

So I share the gentlemen's concern. I think both sides share the concern that the appropriations process is not proceeding in the regular order. But I want to say to the gentleman that from my perspective, I have not concluded that we're not going to consider any appropriations bills on the floor.

Mr. BLUNT. I just suggest, the statement I read, and perhaps it was not accurate, but it seemed like an incredibly definitive statement on the part of the chairman; and since this is the work that the Congress has to do to fund the government, I would assume that the chairman will soon be conferring with the leader and the Speaker to determine if bills are coming to the floor or not.

Mr. HOYER. Will my friend yield on that?

Mr. BLUNT. I would

Mr. HOYER. Thank you.

Senator REID in the other body has made it pretty clear that he does not believe, again, given the failure to pursue regular order in the Senate, that he will be able to get any bills passed, the Senate appropriations bills.

So one of the factors under consideration by Mr. OBEY is that if the Senate is not going to consider any bills, that because they cannot get the bills through the House and to the President—of course, the President sent down a number, said, If you go over that number, I'm going to veto all of the bills anyway. And we had real difficulty last year, as you know, with that happening. That's not happened in my career before. I don't mean that a President hasn't indicated he would veto, but there was always room to work on that.

But that is one of the complicating factors or two of the complicating factors: the President's position and the Senate's position as well.

But I think the major problem is that the regular order Mr. OBEY did not feel was being pursued in the committee.

Mr. BLUNT. We might ask Mr. OBEY what his views might be about his bills that are already through the committee in regular order and why those five bills couldn't come to the House.

You know, we have, in the years of our majority, always with an open rule, taken substantial time. It seemed to me 1 year we took five full days of hearing amendments on the Labor HHS bill and other bills, numerous bills at a time.

The evaluation of last year, the House passed its bills, but at the end of the day, we had one vote on one big bill which may not have been nearly as healthy as having nine individual votes and then having to carry three bills over into the next year to get them done one at a time. But that's not really the question.

The question is what about the bills that are out of the committee now and what would be a violation of any regular order problem to bring those to the House and take the time that we clearly have? We're passing a lot of legislation off the House floor, but not very much of it winds up on the President's desk. If we begin to determine the House schedule based on what the Senate is willing to do and a bill that can get to the President, not much of what we've done in the last several weeks really had much impact.

But I would yield.

Mr. HOYER. I would not agree with the gentleman. After all, we did pass the Iraq funding, we passed a very substantive supplemental, we passed a GI bill, we passed an unemployment insurance extension. We passed an energy bill last year signed by the President. I think much of what we passed in our '06 that was passed, that got through the Senate, was signed by the President and supported by a significant number of Republicans.

Furthermore, let me just remind you, and I'm sure you recall this, that we took 50 hours longer to do the appropriations bills last year than we did in 2006 when your side was in charge. And we had extensive debate. We had 10 open bills, open rules, and we had two rules at the end, because it was clear that we were having great difficulty getting our bills done in a time cramp. Even under those bills, we spent hours debating them. We spent 17 hours on the Homeland Security bill, for instance, and 12 hours on the Labor-Health bill on the floor.

Mr. BLUNT. If we don't deal with any bills this year, I guess our average is going to go down quickly. If we had 12 hours on Labor H last year and zero this year, I guess for this Congress we will say we spent an average of 6 hours debating the bills because one of them never got debated at all.

Mr. HOYER. I don't want to get too testy, and you and I are good friends.

Mr. BLUNT. We are.

Mr. HOYER. But very frankly, it was not a process that we thought was very substantive last year, and every indication that we have received this year, it is not going to be very substantive this year when we consider appropriation bills.

Now, having said that, we didn't pursue the regular order on the Labor-Health bill. The gentleman is correct there are five bills which have passed, and I would reiterate that I have not yet, from my standpoint, concluded that we're not going to consider appropriation bills on the floor this year.

So I want to make it clear. I'm not sure exactly what Mr. OBEY announced. There was an article that said I was supporting Mr. OBEY's position. I went a little further. What I supported of Mr. OBEY's position was that regular order was not being followed in the appropriations committee, not the representation that you say he made with reference to no bills coming to the floor.

I think he's correct that regular order is not being pursued, and very frankly—and I'm going to talk to you about that, talk to my friend about this, because I think it is unfortunate that we have come to this place where the consideration of these bills last year became very politicized, and this year the announcement clearly was very early on out of your conference or your retreat and subsequently that it wasn't going to be a very happy process this year. I don't mean an agreement process. No reason why there should be an agreement. But Mr. OBEY has concerns that it would simply be impossible for him to get the bills through.

Mr. BLUNT. He's a capable man, and I'm sure he can figure out a way.

So I would like to close by saying we would like to see at least the bills that are through the full committee on the floor and would hope that the energy bills that the gentleman is looking at can come to the floor with a rule that allows a substantial and full debate on this critical problem of both gas prices at the pump now and home heating and other things that are going to quickly become problems for Americans.

ADJOURNMENT TO MONDAY, JULY 14, 2008

Mr. HOYER. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning-hour debate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

CONGRATULATING SPEAKER PRO TEMPORE EDWARDS

Mr. HOYER. Before I ask for the next unanimous consent, let me say how pleased I am that Congresswoman EDWARDS, I think this is her first time in

the Chair. She is our newest Member and an excellent Member, and we appreciate her leadership.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. HOYER. Madam Speaker, I ask unanimous consent that the business in order under the calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. KUCINICH. Madam Speaker, pursuant to clause 2, rule IX, I hereby give notice of my intention to raise a question of the privileges of the House. The form of the resolution is as follows:

AN ARTICLE OF IMPEACHMENT OF PRESIDENT GEORGE W. BUSH

Resolved, that President George W. Bush be impeached for high crimes and misdemeanors, and that the following Article of Impeachment be exhibited to the United States Senate:

An Article of Impeachment exhibited by the House of Representatives of the United States of America in the name of itself and the people of the United States of America, in maintenance and support of its impeachment against President George W. Bush for high crimes and misdemeanors.

ARTICLE ONE—DECEIVING CONGRESS WITH FABRICATED THREATS OF IRAQ WMDS TO FRAUDULENTLY OBTAIN SUPPORT FOR AN AUTHORIZATION OF THE USE OF MILITARY FORCE AGAINST IRAQ

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the Office of President of the United States, and to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ''to take care that the laws be faithfully executed,'' deceived Congress with fabricated threats of Iraq Weapons of Mass Destruction to fraudulently obtain support for an authorization for the use of force against Iraq and used that fraudulently obtained authorization, then acting in his capacity under article II, section 2 of the Constitution as Commander in Chief, to commit U.S. troops to combat in Iraq.

To gain congressional support for the passage of the Joint Resolution to Authorize the Use of United States Armed Forces Against Iraq, the President made the following material representations to the Congress in S.J. Res. 45:

1. That Iraq was ''continuing to possess and develop a significant chemical and biological weapons capability. . . .''

2. That Iraq was ''actively seeking a nuclear weapons capability. . . .''

3. That Iraq was ''continuing to threaten the national security interests of the United States and international peace and security.''

4. That Iraq has demonstrated a ''willingness to attack, the United States. . . .''

5. That ''members of al Qaeda, an organization bearing responsibility for attacks on the United States, its citizens and interests, including the attacks that occurred on September 11, 2001, are known to be in Iraq. . . .''

6. The ''attacks on the United States of September 11, 2001, underscored the gravity of the threat that Iraq will transfer weapons of mass destruction to international terrorist organizations. . . .''

7. That Iraq ''will either employ those weapons to launch a surprise attack against the United States or its Armed Forces or provide them to international terrorists who would do so. . . .''

8. That an ''extreme magnitude of harm that would result to the United States and its citizens from such an attack. . . .''

9. That the aforementioned threats ''justify action by the United States to defend itself. . . .''

10. The enactment clause of section 2 of S.J. Res. 45, the Authorization of the Use of the United States Armed Forces authorizes the President to ''defend the national security interests of the United States against the threat posed by Iraq. . . .''

Each consequential representation made by the President to the Congress in S.J. Res. 45 in subsequent iterations and the final version was unsupported by evidence which was in the control of the White House.

To wit:

1. Iraq was not ''continuing to possess and develop a significant chemical and biological weapons capability . . . ''

''A substantial amount of Iraq's chemical warfare agents, precursors, munitions and production equipment were destroyed between 1991 and 1998 as a result of Operation Desert Storm and United Nations Special Commission (UNSCOM) actions. There is no reliable information on whether Iraq is producing and stockpiling chemical weapons or whether Iraq has or will establish its chemical warfare agent production facilities.''

The source of this information is the Defense Intelligence Agency, a report called, ''Iraq—Key WMD Facilities—An Operational Support Study,'' September 2002.

''Statements by the President and Vice President prior to the October 2002 National Intelligence Estimate regarding Iraq's chemical weapons production capability and activities did not reflect the intelligence community's uncertainties as to whether such production was ongoing.''

The source of this information is the Senate Select Committee on Intelligence, a report entitled ''Report on Whether Public Statements Regarding Iraq By U.S. Government Officials Were Substantiated By Intelligence Information.'' June 5, 2008.

''In April and early May 2003, military forces found mobile trailers in Iraq. Although intelligence experts disputed the purpose of the trailers, administration officials repeatedly asserted that they were mobile biological weapons laboratories. In total, President Bush, Vice President CHENEY, Secretary Rumsfeld, Secretary Powell, and National Security Advisor Rice made 34 misleading statements about the trailers in 27 separate public appearances. Shortly after the mobile trailers were found, the Central Intelligence Agency and the Defense Intelligence Agency issued an unclassified white paper evaluating the trailers. The white paper was released without coordination with other members of the intelligence community, however. It was later disclosed that engineers from the Defense Intelligence Agency who examined the trailers concluded that they were most likely used to produce hydrogen for artillery weather balloons. A former senior intelligence official reported that 'only one of 15 intelligence analysts assembled from three agencies to discuss the issue in June endorsed the white paper conclusion.'''

The source of this information is the House Committee on Government Reform, minority staff, ''Iraq on the Record: Bush Administration's Public Statements about Chemical and Biological Weapons.'' March 16, 2004.

Former chief of CIA covert operations in Europe, Tyler Drumheller, has said that the CIA had credible sources discounting weapons of mass destruction claims, including the primary source of biological weapons claims, an informant who the Germans code-named ''Curveball'' whom the Germans had informed the Bush administration was a likely fabricator of information including that concerning the Niger yellowcake forgery. Two other former CIA officers confirmed Drumheller's account to Sidney Blumenthal who reported the story at Salon.com on September 6, 2007, which in fact is the media source of this information.

''In practical terms, with the destruction of the al Hakam facility, Iraq abandoned its ambition to obtain advanced biological weapons quickly. The Iraq Survey Group (ISG) found no direct evidence that Iraq, after 1996, had plans for a new biological weapons program or was conducting biological weapons-specific work for military purposes. Indeed, from the mid-1990s, despite evidence of continuing interest in nuclear and chemical weapons, there appears to be a complete absence of discussion or even interest in biological weapons at the Presidential level. In spite of exhaustive investigation, the Iraq Survey Group found no evidence that Iraq possessed, or was developing, biological weapon agent production systems mounted on road vehicles or railway wagons. The Iraq Survey Group harbors severe doubts about the source's credibility in regards to the breakout program.'' That's a direct quote from the ''Comprehensive Report of the Special Advisor to the Director of Central Intelligence on Iraq's WMD,'' commonly known as the Duelfer report by Charles Duelfer.

''While a small number of old, abandoned chemical munitions have been discovered, the Iraq Survey Group judges that Iraq unilaterally destroyed its undeclared chemical weapons stockpile in 1991. There are no credible indications that Baghdad resumed production of chemical munitions thereafter, a policy the Iraq Survey Group attributes to Baghdad's desire to see sanctions lifted, or rendered ineffectual, or its fear of force against it should WMD be discovered.''

The source of this information, the ''Comprehensive Report of the Special Advisor to the Director of Central Intelligence on Iraq's WMD,'' Charles Duelfer.

2. Iraq was not ''actively seeking a nuclear weapons capability.''

The key finding of the Iraq Survey Group's report to the Director of Central Intelligence found that ''Iraq's ability to reconstitute a nuclear weapons program progressively decayed after that date. Saddam Husayn (sic) ended the nuclear program in 1991 following the Gulf War. Iraq Survey Group found no evidence to suggest concerted efforts to restart the program.''

The source of this information, the ''Comprehensive Report of the Special Advisor to the Director of Central Intelligence on Iraq's WMD,'' Charles Duelfer.

Claims that Iraq was purchasing uranium from Niger were not supported by the State Department's Bureau of Intelligence and Research in the National Intelligence Estimate of October 2002.

The CIA had warned the British Government not to claim Iraq was purchasing uranium from Niger prior to the British statement that was later cited by President Bush, this according to George Tenet of the Central Intelligence Agency on July 11, 2003.

Mohamed ElBaradei, the Director General of the International Atomic Energy Agency,

in a ''Statement to the United Nations Security Council on The Status of Nuclear Inspections in Iraq: An Update'' on March 7, 2003, said as follows:

''One, there is no indication of resumed nuclear activities in those buildings that were identified through the use of satellite imagery as being reconstructed or newly erected since 1998, nor any indication of nuclear-related prohibited activities at any inspected sites. Second, there is no indication that Iraq has attempted to import uranium since 1990. Three, there is no indication that Iraq has attempted to import aluminum tubes for use in centrifuge enrichment. Moreover, even had Iraq pursued such a plan, it would have been—it would have encountered practical difficulties in manufacturing centrifuges out of the aluminum tubes in question. Fourthly, although we are still reviewing issues related to magnets and magnet production, there is no indication to date that Iraq imported magnets for use in a centrifuge enrichment program. As I stated above, the IAEA (International Atomic Energy Agency) will naturally continue to further scrutinize and investigate all of the above issues.''

3. Iraq was not ''continuing to threaten the national security interests of the United States.''

''Let me be clear: analysts differed on several important aspects of [Iraq's biological, chemical, and nuclear] programs and those debates were spelled out in the Estimate. They never said there was an 'imminent' threat.''

George Tenet, who was Director of the CIA, said this in Prepared Remarks for Delivery at Georgetown University on February 5, 2004.

''We have been able to keep weapons from going into Iraq. We have been able to keep the sanctions in place to the extent that items that might support weapons of mass destruction have had some controls on them. It's been quite a success for 10 years.'' The source of this statement, Colin Powell, Secretary of State, in an interview with Face the Nation, February 11, 2001.

On July 23, 2002, a communication from the Private Secretary to Prime Minister Tony Blair, ''Memo to British Ambassador David Manning'' reads as follows:

''British Secret Intelligence Service Chief Sir Richard Billing Dearlove reported on his recent talks in Washington. There was a perceptible shift in attitude. Military action was now seen as inevitable. Bush wanted to remove Saddam through military action, justified by the conjunction of terrorism and WMD. But the intelligence and facts were being fixed around the policy. The NSC had no patience with the U.N. route and no enthusiasm for publishing material on the Iraqi regime's record. There was little discussion in Washington of the aftermath after military action. The Foreign Secretary said he would discuss this with Colin Powell this week. It seemed clear that Bush had made up his mind to take military action, even if the timing was not yet decided. But the case was thin. Saddam Hussein was not threatening his neighbors, and his WMD capability was less than that of Libya, North Korea or Iran. We should work up a plan for an ultimatum to Saddam to allow back in the U.N. weapons inspectors. This would also help with the legal justification for the use of force.''

4. Iraq did not have the ''willingness to attack, the United States.''

''The fact of the matter is that both baskets, the U.N. basket and what we and other allies have been doing in the region, have succeeded in containing Saddam Hussein and his ambitions. His forces are about one-third their original size. They really don't possess the capability to attack their neighbors the way they did 10 years ago.'' The source of this quote, Colin Powell, Secretary of State, in a transcript of remarks made to German Foreign Minister Joschka Fischer in February 2001.

The October 2002 National Intelligence Estimate concluded that ''Baghdad for now appears to be drawing a line short of conducting terrorist attacks with conventional or chemical or biological weapons against the United States, fearing that exposure of Iraqi involvement would provide Washington a stronger case for making war.''

5. Iraq had no connection with the attacks of 9/11 or with al Qaeda's role in 9/11.

''The report of the Senate Select Committee on Intelligence documents significant instances in which the administration went beyond what the intelligence community knew or believed in making public claims, most notably on the false assertion that Iraq and al Qaeda had an operational partnership and joint involvement in carrying out the attacks of September 11.'' This is a quote from Senator John D. Rockefeller, IV, the chairman of the Senate Select Committee on Intelligence entitled ''Additional Views of Chairman John D. Rockefeller, IV'' on page 90.

Continuing from Senator Rockefeller:

''The President and his advisors undertook a relentless public campaign in the aftermath of the attacks to use the war against al Qaeda as a justification for overthrowing Saddam Hussein. Representing to the American people that the two had an operational partnership and posed a single, indistinguishable threat was fundamentally misleading and led the Nation to war on false premises.'' Senator Rockefeller.

Richard Clarke, a National Security Advisor, in a memo of September 18, 2001 titled ''Survey of Intelligence Information on Any Iraq Involvement in the September 11 Attacks'' found no ''compelling case'' that Iraq had either planned or perpetrated the attacks, and that there was no confirmed reporting on Saddam cooperating with bin Laden on unconventional weapons.

On September 17, 2003, President Bush said: ''No, we've got no evidence that Saddam Hussein was involved with September 11. What the Vice President said was is that he (Saddam) has been involved with al Qaeda.''

On June 16, 2004, a staff report from the 9/11 Commission stated: ''There have been reports that contacts between Iraq and al Qaeda also occurred after bin Laden had returned to Afghanistan in 1996, but they do not appear to have resulted in a collaborative relationship. Two senior bin Laden associates have adamantly denied that any ties existed between al Qaeda and Iraq. We have no credible evidence that Iraq and al Qaeda cooperated on attacks against the United States.''

''Intelligence provided by former Undersecretary of Defense Douglas J. Feith to buttress the White House case for invading Iraq included 'reporting of dubious quality or reliability' that supported the political views of senior administration officials rather than the conclusions of the intelligence community, this according to a report by the Pentagon Inspector General.

''Feith's office 'was predisposed to finding a significant relationship between Iraq and al Qaeda,' according to portions of the report released by Senator Carl Levin. The Inspector General described Feith's activities as 'an alternative intelligence assessment process.''' The source of this information is a report in the Washington Post dated February 9, 2007, page A–1, an article by Walter Pincus and Jeffrey Smith entitled ''Official's Key Report on Iraq is Faulted, 'Dubious' Intelligence Fueled Push for War.''

6. Iraq possessed no weapons of mass destruction to transfer to anyone.

Iraq possessed no weapons of mass destruction to transfer. Furthermore, available intelligence information found that the Iraq regime would probably only transfer weapons of mass destruction to terrorist organizations if under threat of attack by the United States.

According to information in the October 2002 National Intelligence Estimate (NIE) on Iraq that was available to the administration at the time that they were seeking congressional support for the authorization of use of force against Iraq, the Iraq regime would probably only transfer weapons to a terrorist organization if ''sufficiently desperate'' because it feared that ''an attack that threatened the survival of the regime were imminent or unavoidable.''

''The Iraqi Intelligence Service (IIS) probably has been directed to conduct clandestine attacks against the United States and Allied interests in the Middle East in the event the United States takes action against Iraq. The IIS probably would be the primary means by which Iraq would attempt to conduct any chemical and biological weapon attacks on the U.S. homeland, although we have no specific intelligence information that Saddam's regime has directed attacks against U.S. territory.''

7. Iraq had no weapons of mass destruction and therefore had no capability of launching a surprise attack against the United States or its Armed Forces and no capability to provide them to international terrorists who would do so.

Iraq possessed no weapons of mass destruction to transfer. Furthermore, available intelligence information found that the Iraq regime would probably only transfer weapons of mass destruction to terrorist organizations if under severe threat of attack by the United States.

According to information in the October 2002 National Intelligence Estimate on Iraq that was available to the administration at the time they were seeking congressional support for the authorization of the use of force against Iraq, the Iraqi regime would probably only transfer weapons to a terrorist organization if ''sufficiently desperate'' because it feared that ''an attack that threatened the survival of the regime were imminent or unavoidable.'' That, again, from the October 2002 National Intelligence Estimate on Iraq.

''The Iraqi Intelligence Service probably has been directed to conduct clandestine attacks against U.S. and Allied interests in the Middle East in the event the United States takes action against Iraq. The Iraq Intelligence Service probably would be the primary means by which Iraq would attempt to conduct any chemical or biological weapons attacks on the U.S. homeland, although we have no specific intelligence information that Saddam's regime has directed attacks against U.S. territory.''

As reported in the Washington Post on March 1, 2003, in 1995, Saddam Hussein's son-in-law, Hussein Kamel, had informed U.S. and British intelligence officers that ''all weapons—biological, chemical, missile, nuclear—were destroyed.'' That from the Washington Post, March 1, 2003, page A15, an article entitled ''Iraqi Defector Claimed Arms Were Destroyed By 1995,'' by Colum Lynch.

The Defense Intelligence Agency, in a report called ''Iraq—Key WMD Facilities—An Operational Report Study'' in September 2002, said this:

''A substantial amount of Iraq's chemical warfare agents, precursors, munitions and production equipment were destroyed between 1991 and 1998 as a result of Operation Desert Storm and United Nations Special Commission (UNSCOM) actions. There is no reliable information on whether Iraq is producing and stockpiling chemical weapons or

whether Iraq has or will establish its chemical warfare agent production facilities.''

8. There was not a real risk of an ''extreme magnitude of harm that would result to the United States and its citizens from such an attack'' because Iraq had no capability of attacking the United States.

Here's what Colin Powell said at the time: ''Containment has been a successful policy, and I think we should make sure that we continue it until such time as Saddam Hussein comes into compliance with the agreements he made at the end of the Gulf War.'' Speaking of Iraq, Secretary of State Powell said, ''Iraq is not threatening America.''

9. The aforementioned evidence did not ''justify the use of force by the United States to defend itself'' because Iraq did not have weapons of mass destruction, or have the intention or capability of using nonexistent WMDs against the United States.

10. Since there was no threat posed by Iraq to the United States, the enactment clause of the Senate Joint Resolution 45 was predicated on misstatements to Congress.

Congress relied on the information provided to it by the President of the United States. Congress provided the President with the authorization to use military force that he requested. As a consequence of the fraudulent representations made to Congress, the United States Armed Forces, under the direction of George Bush as Commander in Chief, pursuant to section 3 of the Authorization for the Use of Force which President Bush requested, invaded Iraq and occupies it to this day, at the cost of 4,116 lives of servicemen and -women, injuries to over 30,000 of our troops, the deaths of over 1 million innocent Iraqi civilians, the destruction of Iraq, and a long-term cost of over $3 trillion.

President Bush's misrepresentations to Congress to induce passage of a use of force resolution is subversive of the constitutional system of checks and balances, destructive of Congress' sole prerogative to declare war under article I, section 8 of the Constitution, and is therefore a High Crime. An even greater offense by the President of the United States occurs in his capacity as Commander in Chief, because he knowingly placed the men and women of the United States Armed Forces in harm's way, jeopardizing their lives and their families' future, for reasons that to this date have not been established in fact.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States and of those members of the Armed Forces who put their lives on the line pursuant to the falsehoods of the President. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings or other audible conversation is in violation of the House rules.

Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Ohio will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

STONE COLD

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Madam Speaker, on Sunday morning Chaudhry Rashad brutally murdered his daughter for bringing, as he said, ''disgrace to the family.''

Rashad's 25-year-old daughter, Sandeela, wanted a divorce from her arranged marriage, but Rashad believed that it was more honorable for him to take a course of action to strangle her to death.

When Atlanta police arrived on the scene, Rashad was in his driveway, calmly smoking a cigarette behind a car as if it was a normal Sunday. After being arrested, then he arrogantly demanded to be served Islamic food while he was in custody.

Rashad said he has ''done nothing wrong'' by murdering his daughter. Yet another example of murder in the name of religion. Yet that's the problem, that people still use the word ''honor'' and ''killing'' in the same breath. The United Nations estimates that there are approximately 5,000 supposed religious honor killings each year of women and girls. Murder is not honorable.

When the police found young Sandeela's body, they said it was cold to the touch. However, the cold, dead body of his daughter was nothing compared to the coldness of a father's heart who willingly steals the life of his child in the name of religion.

And that's just the way it is.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

AMERICA'S STRATEGIC CONTEXT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri (Mr. SKELTON) is recognized for 5 minutes.

Mr. SKELTON. Madam Speaker, yesterday I rose to speak about the need for America to embark upon a process to develop a comprehensive strategy to advance U.S. interests in the world. Today I rise to continue that theme; I want to take the conversation a bit further.

A strategy, as I said last night, describes the way we employ all elements of national power to advance our critical interests. Ultimately, determining these critical interests depends upon the place America occupies in the world. What do we see as our role? Who do we want to be, and how do we want to interact with the rest of the globe's inhabitants to get there? That's the fundamental question, of course, but we are not ready to answer it yet.

Instead, we must first consider the domestic and global contexts within which we must act. As our vision of where we want to go evolves, we must have an ongoing dialogue about the effort and the sacrifices we are willing to make. We must also look at the world as it is, not as we'd like it to be, and we must acknowledge that much of the world does not necessarily see us as we would see ourselves. We must look clear-eyed beyond Iraq and Afghanistan. Only with that understanding can we determine where we want to go and how we want to get there. But as this vision develops, we must keep in mind that it is no good if we cannot provide the means to achieve it, nor is it useful if it is not a realistic fit with the rest of the world.

The global environment is ever changing. While we cannot control the sea swell of change, we must prepare ourselves to navigate those waters. Regional power is shifting; some large nation states, such as China, India, Brazil, to name a few, are ascending and verge on global power status. Russia may already be there, again. Do their interests conflict or coincide with ours? Is their rise a challenge to oppose or an opportunity to engage? Some of our traditional security arrangements may fade in importance as others take on new meaning. But nation states are not our only concern. It's clear that a number of transnational issues will challenge us while others may provide positive potential. Fundamentalist terrorism and the proliferation of dangerous weapons are obvious examples of serious challenges, of course, but what about climate change, the fragility of increasingly connected world financial markets, or the outbreak of pandemic diseases? These are challenges that present themselves without any malicious intentional human action.

The point here is that the world around us bears significant scrutiny because it represents the context that binds whatever strategy we choose. This is not to say we cannot strive for an ideal. We can and we should. It's how this Nation was formed. The ability to conceive a vision that is breathtaking in scope and heartbreaking in its beauty is America's gift to the world. But while the goal may be the ideal, our understanding of our environment and our selection of the means to reach it must be firmly rooted in realism.

With that thought I close, Madam Speaker. In my next speech addressing these issues, I will talk about the need to return to the fundamentals of strategic understanding, a return to Sun

Tzu, to Clausewitz, to strategic thought rooted not in slogans but in enduring principles.

PERMISSION FOR PERMANENT SELECT COMMITTEE ON INTELLIGENCE TO FILE SUPPLEMENTAL REPORT ON H.R. 5959, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2009

Mr. REYES. Madam Speaker, I ask unanimous consent that the House Permanent Select Committee on Intelligence be allowed to file a supplemental report to accompany H.R. 5959.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

□ 1715

ROAD TO ARMAGEDDON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Madam Speaker, it's official. Iran now is capable of firing long-range missiles into southern Europe, Israel, and at U.S. troops in the Middle East.

This story broke yesterday morning when news agencies all over the world reported that Iran successfully test-fired nine medium- to long-range missiles with ranges of 1,200 miles or more that could carry nuclear weapons.

Madam Speaker, here's a map of the area. Here's Iran in the green. Next door is Iraq. Here's Syria. And, of course, this small area here is Israel. Weapons that they have fired are now capable of reaching Israel if Iran so desires.

Iranian leaders say these supposed to send a message to the United States and to Israel. The message: Iran has no problem attacking if they so desire.

The world is threatened by North Korea, Syria, and Iran, all developing nuclear capabilities while denying they have mischief in mind. The most dangerous, of course, is Iran.

The administration claims that the U.S. is determined to prevent Iran from threatening U.S. interests. But what does that mean? We have heard that line before. We've heard it the last time the U.N. imposed sanctions and told Iran to straighten up or else. And Iran just ignored the U.N. and the United States.

It's pretty clear that Iran's aggressive weapons development is part of a calculated plan to destroy their enemies. Unfortunately, Madam Speaker, the U.S. and Israel are at the top of Iran's hate list.

The LA Times recently reported that the little fellow from Iran, Mahmoud Ahmadinejad, said, ''The Zionist regime of Israel is about to die and will soon be erased from the scene.'' And, ''The time for the fall of the satanic power of the United States has come, and the countdown to annihilation has started.''

The devil of the desert, Ahmadinejad, is preaching hate and murder, which puts the rest of the world in danger as well. For those folks who might be willing to give Iran the benefit of the doubt, let's take a walk down memory lane and consider some of the recent facts.

In August of 2002, allegations were made that Iran was building a uranium enrichment facility, a component necessary for nuclear weapon technology. In December of 2002, satellite images confirmed the site. Then, after being caught in 2003, Iran agreed to allow U.N. inspectors in the country to inspect their facilities. But shortly after the inspections, Iran removed the inspectors' cameras and began nuclear development again.

In September of 2003, more enriched uranium was found. Caught again. In October, Iran pledged that if they could develop peaceful, civilian nuclear technology, they would suspend uranium enrichment activities. However, less than a month later, we learned that Iran didn't hold up to their end of the bargain. Big surprise, Madam Speaker. They lied and were caught again.

In 2004, we learned from the United Nations inspectors that Iran violated obligations under the Nuclear Proliferation Treaty, and had been doing so for 18 years. Then Iran refused to allow U.N. inspectors back into their country. In 2005, Iran finally permitted U.N. inspectors to conducted limited inspections and, only after Iran had enough time to sanitize the facilities, were the inspectors allowed in the country.

Then, at the end of 2005, an agreement to suspend uranium enrichment was broken when Ahmadinejad became President. Iran started its nuclear program once again. In 2006, the U.N. ordered Iran to suspend enrichment. Iran did not comply. Later that year, the U.N. issued another order demanding that Iran stop enrichment, and Iran refused, and rejected even an incentive package.

The U.N. passed more resolutions demanding that Iran suspend its enrichment, and all have basically been ignored. Not only has Iran's dictator been stubbornly defiant in complying with these international demands, he has openly mocked U.S. attempts to keep Iran from developing nuclear technology through diplomacy.

In fact, just recently one of Iran's military commanders was quoted as saying that Iran's, ''hands are always on the trigger and missiles are always ready to be launched.'' Do those gunslingers sound like the kind of people we can with reason with? How many more United Nations resolutions have to be issued, how many more sanctions imposed? How many more chances are we willing to give this trigger-happy regime? It's pretty clear what we are doing now is not working.

So the question, Madam Speaker, is: Does the United States have a plan to deal with this crisis, or are we going to have to wait for Iran to deploy a nuclear missile before we wake up and realize that we need a plan. The U.S. intelligence community says that Iran can have nuclear weapons as early as 2010. That is just 2 years away. We already know Iran has long-range missile capability. Put those two together and our world is in a rude awakening very soon.

Iran is not a joke. It's a threat to the whole world. The government of Iran and, more importantly, the American people need to know what the United States' position and plan is. We know what Ahmadinejad's plan is. It's full of malice toward the United States and Israel and his intentions are fatally bent on mischief.

And that's just the way it is.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

HALLWAY POLICY AND FACES OF THE FALLEN MEMORIAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES of North Carolina. Madam Speaker, this week I received a notice from the Chief Administrative Officer and the Architect of the Capitol directing me to remove a memorial outside of my office, which honors fallen marines from Camp Lejeune, North Carolina, because it does not comply with the new hallway policy of the House.

The hallway policy states that items such as flags, equipment, furnishings, and trash must be removed from the hallways. The policy defines furnishings, in part, as easels and exhibits and posters.

While the Faces of the Fallen memorial displayed outside my office does include posters and easels, I cannot believe that these symbols of service to our Nation could be considered mere furnishings. Discarded office equipment and trash are certainly a hindrance to the public who passes through the hallways of congressional office buildings. However, memorials to honor the lives of those killed in Iraq and Afghanistan are a welcome tribute that should not fall under the hallway policy jurisdiction.

Yesterday, I wrote a letter to Speaker NANCY PELOSI to explain the history of this memorial and its importance. In 2004, Congressman RAHM EMANUEL and I introduced legislation directing the Architect of the Capitol to establish an exhibit in the Capitol rotunda to honor the memory of members of the United States Armed Forces who have died in Operation Iraqi Freedom and Operation

Enduring Freedom. Our legislation was never considered. Instead, House Speaker DENNY HASTERT directed the construction of a modest memorial listing names of the fallen in the foyer of the Rayburn House Office Building.

Because we consider the listing of names to be an insufficient way to honor the lives of our fallen servicemembers, I, along with other Members of Congress, began to display more proper memorials outside of our own office areas.

To fully appreciate the loss of a military hero, I believe it is important to see the face of what might have been the fathers, the mothers, the sons, the daughters. Hundreds of visitors from my district, and others, have stopped to view the faces of fallen marines from Camp Lejeune displayed outside my office door, and they have been impacted deeply by this memorial.

Madam Speaker, on one occasion, a mother from Minnesota came into my office with tears in her eyes and thanked me for displaying the picture of her son, who had been killed while serving our Nation.

I know that Speaker PELOSI understands the importance of honoring the men and women who have died in service to our country. I am very grateful that the Speaker has honored my request and the request of others that the House observe a moment of silence each month in honor of those killed or wounded in Iraq or Afghanistan.

As another sign of appreciation for these military heroes, I am hopeful that Speaker PELOSI will support those of us who wish to continue displaying memorials outside of our congressional offices in honor of the men and women who made the ultimate sacrifice for our country.

With that, Madam Speaker, I close by asking God to continue to bless our men and women in uniform and ask God to bless the families who have given a child dying for freedom in Iraq.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SCHIFF) is recognized for 5 minutes.

(Mr. SCHIFF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

GLOBAL POVERTY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Mrs. CAPPS) is recognized for 5 minutes.

Mrs. CAPPS. Today, I rise to speak about global poverty, and specifically to share my experiences as part of the House Democracy Assistance Commission Congressional Delegation visit recently to six African countries. This Commission supports the development of Democratic governments around the world by establishing peer-to-peer relationships with emerging Democratic legislatures.

There is one striking feature in most of the nations we visited on this trip, and they included Ghana, Kenya, Malawi, Mauritania, the Democratic Republic of Congo, and Liberia. In each of these countries, at least half of the population lives on less than $2 a day.

You know, in so much of the Continent of Africa, a continent vibrant and rich with resources and wonderful people, it's overwhelming to see up close and in very personal ways the fact that adults regularly die from preventible disease and children so horribly malnourished.

In fact, according to UNICEF, even in today's modern world, with all the technology that is available, over 26,000 children under the age of five die every single day due to poverty. Just think of it. Twenty-six thousand lives lost each day.

This number, more than any other, brings home to me with cruel immediacy the absolute desperate needs of the world's poor. As we know, poverty is not only the result of economic and social policy shortcomings, it also thrives on war. This scourge is the means by which incredible gender and minority inequality flourishes.

I am thinking now of women in the Democratic Republic of Congo who, even as we speak, are enduring unspeakable acts of sexual violence and degradation. The lives of so many of the world's people are horribly short and difficult because we have all failed to properly distribute the abundant resources of Mother Earth.

These facts are reprehensible and would seem to leave us without hope in the future. But wherever poverty may have taken hold in Africa, it has failed to take hold of the African spirit.

In Malawi, a country where 62 percent of the population lives on less than $2 a day, and where an estimated 15 percent of the adult population is HIV positive, we visited health programs that are a tribute to what is possible when we unite to help each other.

As a nurse, I took special note of our visits to orphan and health care programs run by the Global AIDS Interfaith Alliance, as well as Direct Relief International. These are local, nonprofit agencies that are supported directly by many constituents of mine in my congressional district, and I was honored and humbled to see where these gifts of my friends and neighbors at home, where these gifts are being used so fruitfully in these countries to support and nurture and nourish the lives of orphan children and women suffering with HIV and AIDS.

From HIV prevention, school tuition, and transport to pediatric HIV treatment centers, as well as caring for the ill, these organizations, and there are many of them, and the incredible people that work for them and with them, are helping to bring change to the lives of Malawian children and families.

The African spirit was also thriving in countries like Kenya and Liberia, both of which are working very hard to maintain and strengthen their Democratic institutions, countries where we enjoyed democracy building with their parliaments. It was a team effort. And it was a real honor, again, to be there on behalf of our U.S. Congress.

It will not be easy to turn the tide of poverty in Africa. But, working together, progress is being made. I implore my colleagues to keep this continent, the cradle of life, at the forefront of our minds on this House floor.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□ 1730

BLOCKADE OF IRAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

Mr. PAUL. A couple of weeks ago, there was a resolution introduced in the Congress, H. Con. Res. 362, that quickly got 220 cosponsors. I want to talk a little bit more about that resolution because there are some Members of Congress now having second thoughts about invoking a blockade on Iran.

Take, for instance, here's a quote from Congressman ROBERT WEXLER of Florida. He says, ''Given my growing concerns regarding this resolution, including its failure to advocate for direct American engagement with Tehran and open language that could lead to a U.S. blockade of Iran, I will lead an effort to make changes to this resolution before it comes to the Foreign Affairs Committee for a vote.''

The chairman of the Financial Services Committee, BARNEY FRANK, had this to say: ''I am all for stricter sanctions against Iran, but the blockade part goes too far. I am going to call the sponsors and tell them I am changing my vote.''

I would like all Members of Congress to reconsider, because this I consider a very dangerous sense of congress resolution and that it is going to lead to trouble.

There is a new pro-Israeli lobby established called J Street, and they had some comments about this legislation as well. Their comments are this: ''We as a group oppose preemptive military action by either the United States or Israel and we support stronger U.S. diplomacy. To us, it is common sense that saber rattling and constant threats are counterproductive. What better way to unite Iran behind its most hawkish leaders than threatening to attack? What better way to empower the Iranian hardliners' case for nuclear weapons development than to talk of a military attack?''

Today, I had three young Iranians in my office, and they verified that next year there will be an election and Ahmadinejad, who is in political trouble over there, is being enhanced by our militant conversation we have here, threatening of blockades, and with this plan or possible plan to actually bomb Iran. But the other side argues, well, no it is all the Iranians' fault. They are testing missiles.

The testing of missiles came after there were war games by Israel testing whether or not they had the manpower and the airplanes to travel that particular distance. So the saber rattling is not one-sided, and we cannot say that it is all the Iranians' fault.

This H. Con. Res. 362, the authors claim it is not a blockade. But what it does, it demands inspection of all imports of petroleum products, vehicles, ships, planes, trains and cargo. They use word ''prohibit'' and impose stringent inspection on all of these items.

Now, the question I would like to pose here for our Members is this: How would we as Americans and how would we as a government react if a strong government came and did that to us? What if another government came and said we are going to restrict the importation of petroleum products and we are going to inspect all vehicles, ships, planes, trains and cargo? We wouldn't know what that would mean. How could they do that without an embargo? This is militant language, it is just looking for trouble, and it will not help solve the situation.

There is nothing wrong with talking to people. We talked to the Soviets in the midst of the Cold War. They had 40,000 nuclear weapons. Now they are talking about, well, maybe the Iranians might get a weapon later on.

Quite frankly, this talk about this violation, the Iranians were asked by IAEA not to resume enrichment. They had voluntarily stopped enrichment for peaceful purposes. They have every right under the Nonproliferation Treaty to enrich for peaceful purposes. In the last year, there have been nine unannounced inspections of the Iranian nuclear sites. They have never once been found in violation.

This does not make them angels. This does not make them not want to desire to defend their country. But think about it: How many countries have nukes around them? Pakistan has nukes, India has them, Israel has them, the United States has them, China has them, the Soviets have them. And they are being threatened. War games are being practiced, with the potentiality of us being a participant in bombing them.

Madam Speaker, it is time for us to take a deep breath and reassess our position.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

NATIONAL DEFENSE AND ENERGY POLICY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. DUNCAN) is recognized for 5 minutes.

Mr. DUNCAN. Madam Speaker, I rise to discuss two very important national issues that are unrelated.

First, I consider national defense to be one of the most important and most legitimate functions of the National Government. Yet even I am astounded at sometimes the waste and inefficiency of the Defense Department, and I think the primary reason is that almost every defense contract is some sort of sweetheart or insider type deal.

Just yesterday in the Washington Times, I would like to read a portion of a story that the Times carried yesterday. It says: ''Similarly, Edward C. 'Pete' Aldridge, Undersecretary of Defense for Acquisition, Technology and Logistics at the Pentagon, left the agency to join the board of Lockheed Martin, the Pentagon's largest contractor. Weeks before he left the Pentagon, Mr. Aldridge approved a $3 billion contract to build 20 Lockheed planes. That decision was made after he criticized the plan and threatened to cancel the contract. While serving on the Lockheed board, Mr. Aldridge was picked in 2004 to chair the Commission on the Implementation of U.S. Space Exploration Policy, a decision that drew criticism only from Senator JOHN MCCAIN of Arizona, now the presumptive Republican Presidential nominee, who said Lockheed was one of NASA's biggest contractors and called for Mr. Aldridge's removal because of a conflict of interest. His criticism went unheeded.''

Madam Speaker, the problem is that all of the defense contractors hire all the retired admirals and generals, it has been referred to as the ''revolving door at the Pentagon,'' or all the high level Pentagon employees, and then they come back to these same people and they get these multi-billion dollar contracts. In this example, this man awarded Lockheed Martin a $3 billion contract, the same contract he criticized at one point. But then, surprise, shock of all shocks, he approved this contract, and then a short time later joined the board of Lockheed Martin.

This is just one example. I could give examples day after day of similar types of things. All of these defense contracts going to companies that hire all the retired admirals and generals, and it should be stopped.

The second issue, a very important issue but very unrelated, is the issue of energy and gas prices. I would like to read part of a column by Charles Krauthammer a few days ago. Mr. Krauthammer is very respected by both sides of the aisle.

He said, ''Gas is $4 a gallon, oil is $135 a barrel and rising. We import two-thirds of our oil, sending hundreds of billions of dollars to the likes of Russia, Venezuela and Saudi Arabia. And yet we voluntarily prohibit ourselves from even exploring huge domestic reserves of petroleum and natural gas.''

Mr. Krauthammer continued: ''At a time when U.S. crude oil production has fallen 40 percent in the past 25 years, 75 billion barrels of oil have been declared off limits, according to the U.S. Energy Information Administration. That would be enough to replace every barrel of non-North American imports for 22 years.'' That is nearly a quarter century of energy independence.

Mr. Krauthammer said, ''The situation is absurd.''

George Will wrote a column a few days ago and he said this: ''One million barrels is what might today be flowing from ANWR if in 1995 President Bill Clinton had not vetoed legislation to permit drilling there. One million barrels produce 27 million gallons of gasoline and diesel fuel.''

And Robert Samuelson, who is not really considered a conservative or Republican columnist, he is a columnist for the Washington Post, he wrote a few weeks ago this. He said, ''The truth is we are almost powerless to influence today's prices. We are because we didn't take sensible actions 10 or 20 years ago. If we persist, we will be even worse off in a decade or two. The first thing to do, start drilling.''

Madam Speaker, I am one of the very few Members who has been up to Prudhoe Bay in Alaska twice. I have been up there to this frozen tundra. There are millions of acres without a tree or a bush on that entire expanse up there, 19.8 million acres, 36 times the size of the Great Smokey Mountains, part of which I represent. They want to drill on about 2,000 or 3,000 acres of this 19.8 million acre refuge. It takes a survivalist to go in there. In fact, Time Magazine said 4 years ago it only had about 200 visitors a year.

It is ridiculous that we do not drill in an environmentally safe way. Most environmental extremists, I have noticed over the years, they come from very wealthy or very upper-income families. Perhaps they can afford gas to go to $5 or $6 a gallon. They have said for years they wanted gas prices to go higher so people would drive less. But I can tell you this: They are hurting a lot of poor and lower-income and working people in this country, and they are shutting this country down economically.

We heard in the Highways and Transit Subcommittee a few weeks ago that

935 trucking companies had closed in the first quarter of this year, and they only counted trucking companies with five trucks or more. Two weeks ago we heard in a hearing of the Aviation Subcommittee that eight airlines had shut down, had ceased operating in the last year-and-a-half, and one more was in receivership.

We are at a very dangerous point. We don't have to produce all of our oil or all of our energy, but we have got to start producing a little bit more, or these foreign energy producers are going to know they can keep on raising these prices, and as I say, they are going to hurt a lot of working and ordinary Americans in the process.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MCHENRY) is recognized for 5 minutes.

(Mr. MCHENRY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ADDRESSING THE CHALLENGES FACING AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. DREIER) is recognized for 5 minutes.

Mr. DREIER. Madam Speaker, last week the House went on recess to spend time in our districts commemorating our independence as a Nation. These celebrations every 4th of July are always a time to remember and honor the history of this great country. We think of the great moments when the United States of America shone as an unparalleled leader in liberty and achievement; the brave men who stormed the beaches of Normandy, followed by the Marshall Plan and the Berlin airlift; the Wright Brothers becoming first in flight; or, of course, Neil Armstrong taking that giant leap for mankind.

Perhaps above all, though, Madam Speaker, America's great moments have been expressions of great ideas. Our Nation was born out of the ideals of the Declaration of Independence. It established an enduring national philosophy based on the truth that we are all created equal and endowed by our Creator with inalienable rights.

Since that beginning, bold ideas have defined our Nation; the idea that government must be of the people, by the people, and for the people; the idea that checks and balances must be built into the very structure of government to ensure its responsiveness to the American people; the idea that every man, woman and child has the right to freely practice their faith; the idea that all ideas should be allowed to be freely expressed. This is our history and our heritage.

But Independence Day is not just a time to reflect on our past. It is also an opportunity to consider where we are headed. I believe that today, we as Americans are currently grappling with very fundamental philosophical questions, and answers to these questions will present complex challenges in their implementation.

A central question is how to apply our core principles to the new challenges that we face. How do we secure ourselves against new threats without diminishing the civil liberties that we hold dear. How do we wage a war against Islamic extremism without appearing to treat those of the Muslim faith with the very intolerance that fuels extremism. How do we end the scourge of illegal immigration, while continuing to be that shining city on the hill to the many legal immigrants who have always helped to make this country the great Nation that it is.

□ 1745

How do we engage in the worldwide marketplace while ensuring that Americans can successfully compete in a very dynamic economic environment?

Madam Speaker, there are those who say that America is bitterly divided today over these questions. It is certainly true that there is great diversity of opinion in how to address the security and economic challenges that we face. But if we are willing to engage each other in honest and open debate, this diversity of opinion is our great strength, not our weakness.

We as a Nation are facing substantial new challenges that demand a great clash of ideas, just as our Founders intended. Unfortunately, the recitation of inflammatory talking points has supplanted sincere and honest debate. The shrill voices of talking heads are no substitute for true engagement.

I believe Americans have grown weary of politics as usual, of the endless fighting that takes place here in Washington. But not because of the existence of opposing views. Americans have grown weary of the obstinacy, the hardened positions and intolerance of differing opinions, the refusal to truly engage in an open and substantive way.

Madam Speaker, in a country of over 300 million people, there will never be uniformity of opinion, but there can and should be a deep respect for that clash of ideas and an interest in reaching broad consensus on the great issues of our day. This is the essence of the United States of America, and it is the essence of why we last Friday celebrated our Nation's independence, the freedom of ideas, all ideas, to be debated, debunked, or developed in this messy process of democracy.

Madam Speaker, I truly believe that our country will rise to the challenges we face today, just as we have always done. And we will accomplish this through open, sometimes heated and passionate, but always respectful debate. The celebration of our independence is always at least a temporary unifier of America. But this year, we cannot afford to confine this unity to one day, the Fourth of July. I believe we should use this time to renew our belief in a country that is bound together, not driven apart, by the clash of ideas out of which our great country was born.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

(Ms. FOXX addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. WELLER) is recognized for 5 minutes.

(Mr. WELLER of Illinois addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. GARRETT) is recognized for 5 minutes.

(Mr. GARRETT of New Jersey addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. SHUSTER) is recognized for 5 minutes.

(Mr. SHUSTER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. BROUN) is recognized for 5 minutes.

(Mr. BROUN of Georgia addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. KIRK) is recognized for 5 minutes.

(Mr. KIRK addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Mrs. MYRICK) is recognized for 5 minutes.

(Mrs. MYRICK addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. TIM MURPHY) is recognized for 5 minutes.

(Mr. TIM MURPHY of Pennsylvania addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. PRICE) is recognized for 5 minutes.

(Mr. PRICE of Georgia addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CREDIT CARDHOLDERS' BILL OF RIGHTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentlewoman from New York (Mrs. MALONEY) is recognized for 60 minutes as the designee of the majority leader.

Mrs. MALONEY of New York. Madam Speaker, I wish to address the Chamber tonight on the Credit Cardholders' Bill of Rights.

In recent years, the playing field between credit card companies and credit cardholders has become very one-sided. It is no surprise that it is average American cardholders and not the credit card companies who are getting the short end of the stick.

A credit card agreement is supposed to be a contract. But what good is a contract when only one party has any power to make decisions, and one party makes all the decisions? Cardholders deserve more bargaining power. The United States Congress can and should help level the playing field between card companies and cardholders.

I introduced the Credit Cardholders' Bill of Rights, H.R. 5244, to give American credit cardholders a fair deal. We now have over 155 cosponsors in this body. My comprehensive credit card reform bill takes a balanced approach to reforming major industry abuses and improving consumer protections for cardholders.

Put simply, the Credit Cardholders' Bill of Rights protects cardholders against arbitrary interest rate increases any time and for any reason; prevents cardholders from being unfairly penalized; protects cardholders from due date gimmicks; shields cardholders from misleading terms, and empowers them to set limits on their own credit and to better control their own credit; prevents card companies from giving subprime credit cards to people who cannot afford them; and requires Congress to provide much better oversight of the credit card industry in general.

The Credit Cardholders' Bill of Rights fosters fair competition and free market values. It sets no price controls, no rate caps, and no fees. It merely requires the card companies to let consumers know when they are jacking their fees up and increasing their rates. I believe the free market works best when consumers are empowered to make their own choices, and my bill would give cardholders the information and the rights they need to make choices about their own credit.

The balanced provisions in my bill are the deliberative result of over a year of careful study and analysis. Over the last 2 years, I held numerous congressional hearings and meetings to determine how Congress, Federal regulators, and credit card companies could work together to help improve services and protections for cardholders.

There is no doubt that credit cards are very important to our economy. They offer cardholders instant access to a convenient and flexible source of financing, and have enabled many people to start new businesses, pay for tuition, or make other major purchases. Credit cards also provide many people with a safety net to help solve cash flow problems or cover unexpected expenses. But cardholders are increasingly confronting problems with unfair industry practices embodied in one-sided contracts, and this must be changed.

In recent months, the House of Representatives, under the leadership of Financial Services Chairman BARNEY FRANK, succeeded in passing major mortgage reform legislation and an economic stimulus plan. The Senate is now following suit. Both of these important steps will help get our economy back on track, but we cannot overlook credit card reform. It is a critical part of the equation, and one Congress will be turning its attention to.

Over 155 of my colleagues have already signed on as cosponsors of this important legislation. In the coming months, I plan to continue to build on the support this bill has gained, and I plan to work with BARNEY FRANK to get this marked up in committee so we can bring it to the floor for a vote.

Consumers deserve to know where their elected officials stand on credit card reform that affects their lives. This is a critical issue of importance to my constituents, and we must show them that Congress is ready to restore some balance between consumers and credit card companies.

When I started to work on this issue, one of the first things I did was hold a roundtable discussion with many of the stakeholders, major credit card issuers, as well as leading consumer advocates. From this discussion, I developed a series of principles that have guided the development of the legislation. I am going to take a few minutes to describe each of these principles, explain what the bill does to achieve them, and provide real-world examples of what this means to the average credit cardholder.

The first principle is that cardholders deserve protection against arbitrary interest rates any time and for any reason. Right now, credit card companies have the right to raise a customer's interest rate for any reason. This has made it very difficult for many consumers to understand how and why they have had their interest rate changed and hiked up on their credit cards.

Compounding this problem is that when a new higher interest rate is applied, it not only affects future purchases, it also raises the interest rate on existing balances. Consumers are often only made aware of these new higher interest rate increases only after they have gone into effect.

To counter this problem, the Credit Cardholders' Bill of Rights requires credit card companies to give a customer 45 days' notice of any and all interest rate hikes, and allows them the option to just say ''no,'' to opt out of the interest rate increase. In return, if the cardholder opts out of the new rate, they are required to close the card and pay off the existing balance at the payment schedule they agreed to.

And here is a real-world example. A person has a $1,000 balance and a 9.9 percent APR interest rate. One month, she pays her utility bill one day late. The credit card company charges her a $35 late fee and raises her interest rate from 9.9 percent to over 29 percent, but does not tell her about the rate increase until she gets her next statement in the mail. The new rate is applied to the entire existing balance of $1,000. And the consumer can try and get a new card at a lower rate, but until then the $1,000 debt will be growing at a 29.99 percent rate of interest.

Under the Credit Cardholders' Bill of Rights, the customer would still be charged the late fee, but they would be notified that, in 45 days, their interest rate would be raised from 9.9 percent to over 29 percent. This would give them more time to try to apply for a new credit card with a lower interest rate; or, they could decline the higher interest rate on the card, close the account, and pay off the balance at the old 9.9 percent rate.

I have got to say, under the Credit Cardholders' Bill of Rights, the customer could still be assessed the higher interest rate for missing payments on other bills, but that new higher rate would only apply to purchases and balances going forward and not retroactive on their existing balances. They would also have the ability to opt out of the rate increase, close the account, and pay off their existing balances at the old rate.

Another principle in the bill is that cardholders who pay on time and don't go over their limit should not be penalized. The so-called double cycle billing is a confusing practice that certain card companies employ to charge cardholders more interest. It affects cardholders who go from paying off their balances in full to carrying a balance. Here is how it works.

Most card companies charge interest on the remaining unpaid balance from a cardholder's previous billing cycle. Card companies that use double cycle billing, however, charge cardholders interest on the entire balance from the previous cycle even if the cardholder paid part of it off. Card companies that use double cycle billing are effectively charging interest on balances that have already been paid. How fair is that? The Credit Cardholders' Bill of Rights bans this really unfair practice called double cycle billing.

Here is a real-world example. A cardholder usually pays off her credit card

in full every month, but one month she charged $100 and only paid $50 by the due date. If she had a credit card that calculated payments on a single cycle, she would have been given credit for paying that $50 and only charged interest in the next billing cycle on the remaining $50 that she owed. But since her card company uses double cycle billing, she was charged interest on the $100 from the previous billing cycle plus the remaining $50 that she still owes. Under my bill, card companies would be prohibited from billing on a double cycle and charging interest on debt that has already been paid.

Another principle of this legislation is that cardholders should be protected from due date gimmicks. Currently, card companies are allowed to mail billing statements out as few as 14 days before the statement is due. Mail delays and a host of other problems mean that cardholders on that schedule find themselves with less than a week to get their payments back to their card company, increasing the likelihood that they will have a late payment.

The Credit Cardholders' Bill of Rights gives cardholders more time to pay their bills. It requires card companies to mail billing statements 25 calendar days before the statement's due date. It also requires that payments made before 5:00 p.m. eastern standard time on the due date are considered timely. The bill also prohibits card companies from charging late fees when a cardholder presents proof of mailing his or her bill within 7 days of the due date.

□ 1800

Another is that the bill and the cardholders should be protected from misleading terms and statements. Card companies can currently define the terms ''fixed rate'' and ''prime rate'' pretty much any way they want to. This can lead to obvious confusion among cardholders.

The Credit Cardholders' Bill of Rights prevents card companies from using these terms in a misleading or in a deceptive manner by establishing single set definitions that every company must use. For example, the term ''fixed rate'' must be a rate that will not change or vary for any reason over a defined period of time. The Credit Cardholders' Bill of Rights also gives cardholders who get pre-approval for a card the right to reject that card up until the moment they are to use it or to activate it without having their credit adversely impacted.

I would like to say that, also, another principle is that cardholders deserve the right to set limits, and card companies should not impose excessive fees on cardholders. Most card companies currently don't give cardholders the option of setting real limits on their own accounts. Instead, card companies allow the cardholder to exceed that amount and assess fees and/or a rate increase for doing so.

The Credit Cardholders' Bill of Rights would require card companies to offer consumers the option of having a fixed credit card limit that cannot be exceeded, and it would prevent card companies from charging over-the-limit fees on a cardholder with a fixed credit limit.

The bill also limits the amount of consecutive over-the-limit fees card companies can charge to a more reasonable number of three. Here is a real-world example.

A cardholder had a credit limit of $2,000 on her card. Things got a little tight around the holidays, and she used her card more than normal, accidentally going over her limit by $50. As a result, she was charged a $39 late fee. In the next billing cycle, she sent the card company a check for $60, but that still left her over her credit limit, so she was charged another $39 over-the-limit fee.

Under the Credit Cardholders' Bill of Rights, the cardholder would be able to set his or her credit limit and wouldn't be able to make any purchases that put him over his fixed limit. If a cardholder did not want to set a fixed limit and did so accidentally go over his limit, a card company would only be allowed to impose more reasonable three consecutive, over-the-limit fees upon the customer.

Another principle of the bill is that card companies should fairly credit and allocate payments. When a credit card account has balances with different interest rates, a decision has to be made as to how to allocate payments. A cardholder pays the least amount of interest when any payment is allocated to the highest interest rate balance first, and a credit card company makes more in interest payments when the payment is allocated completely to the lowest rate balances. Currently, most credit card companies allocate payments to the lowest interest rate balance first while prohibiting payment on balances at higher interest rates until the lower rate balance is paid in full. This isn't very fair to the cardholder, however. In fact, many cardholders have no idea that their card companies are deciding to allocate their payments.

The Credit Cardholders' Bill of Rights directs card companies to fairly allocate payments on balances at different interest rates, making payments more equitable for both cardholders and card companies.

Here is a real-life example of that principle. A cardholder has a new credit card given with an introductory zero percent interest rate on all balance transfers. So he transferred a $1,000 balance he had on another card. He then went out and bought $2,000 worth of new equipment. When he made a $250 payment on his new card that month, he noticed that his interest rate for new purchases was 24 percent, but all of his payment went to pay down the zero percent balance. He wanted to pay, obviously, on the $2,000 balance since it was at such a high interest rate, but he was told he could not start paying on that balance until the original zero balance was paid in full.

Under my bill, the $250 payment would go towards paying off both the lower interest balance and the higher interest balance on a proportional basis.

I want to say that this bill has gained not only 155 of my colleagues in a bipartisan sense, but it has also gained over 45 editorials from across this Nation in support of the Credit Cardholders' Bill of Rights. I would like to share some of the comments from these editorials.

From the New York Times on May 3 of this year: '' . . . consumers are already losing as their interest rates on the cards suddenly skyrocket. Fees appear mysteriously on their bills, and even the billing cycles get shortened to make it harder to pay on time. Congress needs to take up the issue now rather than wait for the Federal Reserve to create rules that can be too easily changed. The banking industry likes to boast that more than 90 percent of credit card customers have no problems with their little plastic cards. Given that there are more than 1 billion credit cards believed to be in use, that leaves a lot of people swamped by what is now called the 'tricks and traps' of the credit card business.''

The Boston Globe reports on May 31: ''Regulators and elected officials are starting to circle the credit card companies and not a moment too soon. The Federal Reserve reports that credit card debt rose more than 7 percent last month on top of the already burdensome average of $8,000 per American family. Credit and debit card delinquencies are at their highest levels in 18 years, and all the while, credit card companies are employing practices that only dig consumers deeper and deeper into debt.''

The Credit Cardholders' Bill of Rights is a modest reform to bar credit card companies from raising interest rates on outstanding balances because of some action or unpaid bill in another area. It deserves our support.

On May 6, USA Today reported: ''For years, Congress ignored consumer outrage as the industry flooded the public with solicitations, then squeezed customers with escalating fees and high rates. Voters should pay close attention this year to who is trying to get the issuers to act more responsibly and who is defending some of their more outrageous practices.''

The Staten Island Advance on May 16 stated: ''In a sign that Americans are relying more on their credit cards, the total for revolving credit has grown in 2008 significantly faster than fixed-rate debt. During the past year, revolving debt has risen nearly $6 billion per month, or almost 8 percent, one of the fastest growth rates since 2001. In the past 12 years, penalty fees for late payments have more than doubled, from an average of $13 in 1995 to $28 now.

Make just one late payment, and you can face a penalty interest rate of more than 30 percent. The fine print in most disclosure statements says that issuers can change the terms of the cardholder's agreement at any time, for any reason. There is no other contract in the world that can change its terms at any time.''

In Tennessee, the Knox News reports: ''The proposed regulations should curb some of the more unfair practices, and if effective, it may help consumers.''

The St. Petersburg Times in Florida reports: ''Americans owe more than $800 billion in credit card debt, and more than 1 in 3 cardholders are unable to make timely payment on accumulated balances. What is troublesome for banks can be tragic for families. With falling home values, stagnant wages and rising prices for basics such as food and fuel, Americans are relying more on credit cards to pay for necessities. Some lenders have taken advantage of that situation by bumping up fees and interest rates on credit cards, even for those who pay on time. Somebody needs to regulate a market that is out of control and takes advantage of the most naive and vulnerable consumers and is threatening an already fragile economy.''

Then in Pennsylvania, on May 10, the Daily and Sunday Review stated: ''Intervention is necessary if Americans under the thumb of the credit card industry are to have any hope of solvency, and even though the Feds' proposals are welcomed, they should not supplant far broader relief envisioned in the credit card bill of rights.''

The Charleston Gazette writes: ''Yes, too many accepted cards they could not afford, and charged more than they earned. As the old saying goes, 'It's easier to sign a note than to pay for it.' However, tricking customers who carry a balance into paying dubious fees and penalties is unethical.''

The Dallas Morning News says: ''There's a huge difference between charging cardholders who have missed payments and willfully creating a system to generate unnecessary penalties. We deserve change. We should pass change.''

On May 6, the Baltimore Sun said: ''Amid a severe mortgage crisis and credit crunch, the rules should help prevent many cardholders from going under because of some of the industry's worst practices, including high interest rates and high fees. These proposals, which don't take effect until the end of the year, should not prevent Congress from acting on its own and passing needed credit card reform.''

I would like to say that credit cards are important. They benefit many families, and I would say that some industry groups and some banks have instituted best practices and have said that they voluntarily will no longer impose any time/any reason increases on customers who pay on time and who don't go over their limits. They say they will no longer practice double cycle billing, but many credit card companies still practice these really harmful and unfair policies, so we need to pass this legislation, and we need to give relief to consumers and level the playing field, not only between the consumer and the cardholder but between companies that are doing the right thing and those that are still abusing the consumers.

I would like to say that I thank my colleagues. One hundred fifty-five of my colleagues have joined me on the Credit Cardholders' Bill of Rights and over 45 editorials from across this country. I hope that my colleagues will read the bill, those who are not on it, and will join us in this effort to bring relief to America's working families.

I yield back the balance of my time.

THE IRANIAN THREAT

The SPEAKER pro tempore (Ms. WATSON). Under the Speaker's announced policy of January 18, 2007, the gentleman from Maryland (Mr. BARTLETT) is recognized for 60 minutes as the designee of the minority leader.

Mr. BARTLETT of Maryland. Madam Speaker, there was a very interesting editorial in the Wall Street Journal today. Let me read a bit from it. Talk about timing. It is, perhaps, fortuitous.

''On Tuesday, Secretary of State Condoleezza Rice was in Prague, signing an agreement that's a first step toward protecting Europe from ballistic missile attack. As if on cue, Tehran, yesterday, tested nine missiles, including several capable of reaching southern Europe as well as Israel and U.S. troops stationed in the Middle East. Remind us. Who says Iran isn't a threat?''

Yesterday's test offered no big surprises about Iran's missile technology, but they are a useful reminder of just how real the Iranian threat is and how rapidly it is growing. One of the missiles tested was the latest update, the Shahab-3, which has a range of about 1,250 miles. Replace the payload with a lighter one, say, a nuclear warhead, and the range gains 1,000 miles.

□ 1815

Add a booster, and the range can be extended even farther. North Korea did just that with its Taepodong-2 missile.

Technology that is passed along to Iran. U.S. intelligence estimates that Iran will have a ballistic missile capable of reaching New York or Washington by about 2015. But Iran may already have the capability to target the U.S. with a short-range missile by launching it from a freighter off the east coast. A few years ago, it was observed practicing the launch of Scuds from a barge in the Caspian Sea.

This would be especially troubling if Tehran is developing EMP, electromagnetic pulse technology. A nuclear weapon detonated 100 miles over U.S. territory would create an electromagnetic pulse that would virtually shut down the U.S. economy by destroying electronic circuits on the ground. William Graham, head of a congressional commission to assess the EMP threat, testifies before the House Armed Services Committee this morning. We hope someone asks him about that.

I attended that hearing. And he was asked about that.

Let me give you a few quotes from his testimony this morning.

''Several potential adversaries of the capability to attack the United States with a high altitude nuclear weapon generated electromagnetic pulse, and others appear to be pursuing efforts to obtain that capability. A determined adversary,'' he says, ''can achieve an EMP attack capability without having a high level of sophistication. For example, an adversary would not have to have long-range ballistic missiles to conduct an EMP attack against the United States. Such an attack could be launched from a freighter off the U.S. coast using a short- or medium-range missile to loft a nuclear warhead to high altitude.

''Terrorists sponsored by a rogue state could attempt to execute such an attack without revealing the identity of the perpetrators.

''Iran, the world's leading sponsor of international terrorism, has practiced launching a mobile ballistic missile from a vessel in the Caspian Sea. Iran,'' he says, ''has also tested high altitude explosives of the Shahab-3, a test mode consistent with EMP attack, and Iran described the test as being 'successful.' Iranian military writings explicitly discuss a nuclear EMP attack that would gravely harm the United States.

''While the Commission,'' he says, ''does not know the intention of Iran in conducting these activities, we are disturbed by the capability that emerges when we connect the dots.''

Dr. Graham was the principal author of a report produced by the Commission to assess the threat to the United States from electromagnetic pulse attack.

And let me read a single statement from the introduction to this study. ''The electromagnetic pulse generated by a high altitude nuclear explosion is one of a small number of threats that can hold our society at risk of catastrophic consequences.''

And a little later we'll have a chance to note what those catastrophic consequences are.

Here is a report, the CRS report for Congress. ''High Altitude Electromagnetic Pulse, HEMP, and High Power Microwave, HPM, devices threat assessments.'' And they discuss also this electromagnetic pulse.

The first chart shows us a quote from one of our now Senators that I had the privilege of serving with on the Armed Services Committee in the Congress before he went to the Senate, JOHN KYL. He says, ''Last week the Senate Judiciary Committee's Subcommittee on Terrorism, Technology and Homeland Security, which I chair,'' he says,

''held a hearing on a major threat to the United States, not only from terrorists but from rogue nations like North Korea,'' and he might have added Iran.

''An electromagnetic pulse (EMP) attack . . . is one of only a few ways America could essentially be defeated by our enemies, terrorists or otherwise . . . Few if any people would die right away. But the long-term loss of electricity would essentially bring our society to a halt . . . few can conceive of the possibility that terrorists could bring American society to its knees by knocking out our power supply from several miles in the atmosphere. But this time we've been warned, and we better be prepared to respond.''

The next chart is a quote from Major Franz Gayl, ''The impact of EMP is asymmetric in relation to our adversaries. The less-developed societies of North Korea, Iran and other potential EMP attack perpetrators are less electronically dependent and less specialized while more capable of continued functionality in the absence of modern conveniences.''

What they're saying is that if this EMP attack was made in one of these countries, that they would not be hurt anywhere near as much as we because they have a much less sophisticated infrastructure.

''Conversely, the United States would be subject to widespread paralysis and doubtful recovery,'' doubtful recovery, ''following a surprise EMP attack. Therefore, terrorists and their coincidentally allied state sponsors may determine that given just a few nuclear weapons and delivery vehicles the subjection of the United States to a potentially non-attributable EMP attack is more desirable than the destruction of selected cities. Delayed mass lethality is assured over time through the cascade of EMP's indirect effects that would bring our highly specialized and urbanized society to a disorderly halt.''

What is this EMP that these several reports and articles have been talking about?

The next chart, and this comes from the U.S. Defense Nuclear Agency, and this shows how an EMP is produced. Our first exposure to this was way back in the early 1960s, 1961, I believe, over Johnston Island in a test, and then we were testing nuclear weapons in a test called Starfish. I think that was one in the series of the Fishbowl tests. And this test was the first one that we had conducted above the atmosphere. All of the other tests had been on a tower or underground. This one was above the atmosphere.

And we had some very surprising results from that. It was about, I think, 800 miles away from Hawaii and almost instantaneously, there were effects, electronic and electrical effects, in Hawaii from this extra atmospheric detonation of a nuclear weapon.

This chart shows what happens when the nuclear weapon explodes. There are some gamma rays that come out. They produce Compton electrons. And these Compton electrons then flow at the speed of light, line of sight, and if the weapon is, say, 300 miles high above the United States, that would cover all of the United States.

This EMP wave is like a lightning strike, although different than lightning. Or a static electricity. A really strong static electricity everywhere all at once. It's just hard to conceive of something like this, that there would be a simultaneous over all of the United States lightning strike, although not quite like lightning, that would destroy, if it were strong enough, all of the electronic devices in our country.

The features in EMP from a high altitude burst they say is wide-area coverage, high-field strengths, and they note here 50 kilovolts per meter. A little later we will talk about what the EMP Commission learned from a couple of Russians, Soviet generals who are now Russian generals, who said that the Soviets had developed 200-kilovolts-per-meter weapons. We will discuss a little later what that means.

Broad frequency band of a very broad range or frequency from D.C. to 100 MHz. ''Absence of most other nuclear weapons effects.'' There isn't any fallout because there is nothing to fall out. Fallout is produced when a weapon is detonated at the surface or near the surface and it blows a lot of radioactivity up in the air. In this case, there isn't any material blown up in the air so there really isn't any conventional fallout.

The next chart shows us the range, what would be covered by a weapon detonated at various altitudes. And this is looking at the center of our country near Iowa and Nebraska. And the surface, little red dot here in the middle, if it's detonated on the surface, very small area is impacted. If it is 60 miles up, you'd get a broader area; 200 miles up, you get a still broader area. And if you go 300 miles up, it covers all of the United States, the tip of Maine and Florida and the State of Washington.

The next chart shows, again, the coverage of an EMP, and this one shows how the intensity of the field degrades with distance. And there is this so-called ''smile effect'' from it. And the color coding over there shows the degradation of the intensity. It starts out with red in the middle, which is 100 percent, and then we get to the purple out here, and that's 50 percent. And you see that the degradation is cut into about half by the time you reach the margins of our country.

That's important when we look at the next chart because the next chart redacted the names of the Soviet generals, and now Russian generals is now redacted. The Commission—this is from the EMP Commission report.

''The Commission met with Russian Generals 'blank' and 'blank' who claimed: Russia designed a 'Super-EMP' nuclear weapon capable of generating 200 kilovolts per meter. Russian, Chinese and Pakistani scientists are working in North Korea and could enable that country to develop an EMP weapon in the near future.''

And one needs to note the close working relationship between North Korea and Iran.

The next chart further looks at this threat. And this again is from the EMP Commission, a Commission set up 4 years ago by legislation that I initiated. They have been working for 4 years now, and we are planning this year to extend their life another 4 years because it is absolutely essential, as you will see as we go on with the discussion, that both our military and our national infrastructure be aware of this threat and do reasonable things to protect our military and our country against this threat.

''EMP is one of a small number of threats that may,'' they say, ''hold at risk the continued existence of today's U.S. civil society.'' That is quite a statement. What that means is that EMP is one of a small number of threats that may end life as we know it. It could ''disrupt our military forces and our ability to project military power.

''The number of U.S. adversaries capable of EMP attack is greater than during the Cold War.'' Then there was only one adversary. Today there are potentially many who have nuclear weapons or could acquire nuclear weapons and missiles and even short-range missiles, as was pointed out, that could be launched from a tramp steamer off our coast.

□ 1830

Potential adversaries are aware of the EMP's strategic attack option. My wife raised this question: Should you really be talking about this because you are giving these people ideas? And I assured her that every one of our potential enemies has in their open literature detailed discussions of an EMP attack and how it could be used and how they would use it.

A little later I'm going to show you a chart which is in Russian writing, and we can show you from the open literature of any of these countries that might launch an attack against us, in their open literature they know. Ninety-eight percent of the people in our country may know nothing about EMP and what it could do to us, but I will assure you that 100 percent of our potential enemies know all about EMP and what it could do.

The threat is not adequately addressed in U.S. national and homeland security programs. Dr. Graham is a scientist, and scientists frequently are capable of understatement. This is a gross understatement. The threat is not adequately addressed. The threat is not addressed.

You know, some things are too good to be true, and usually if something is too good to be true, it's not true. This thing is so bad, the potential is so

enormous, that some people think, gee, that's just too bad to be true, so it can't be true, like that's too good to be true so it can't be true, but I'm afraid this is true.

The next chart, and I'm really pleased at the quality of the nine members of this commission. These are top people with many, many years of experience. When I was just finishing my first two years of teaching medical school, 56 years ago now, Dr. Johnny Foster was designing nuclear weapons for our country, and he was the director of LLNL and the director of DDR&E.

Mr. Earl Gjelde, chief engineer and acting director, Bonneville Power Administration, very knowledgeable in our grid and its vulnerabilities.

Dr. Bill Graham, who was the chairman, he's had a long, long experience, has been appointed by a couple of different administrations. He was a science advisor, for instance, to President Reagan. He was Rumsfeld's deputy in their very important study on the emerging threat of ballistic missiles.

Dr. Robert Hermann, director of NRO. NRO is very interesting. Of course, just a moment to talk about NRO, National Reconnaissance Organization. Until just a few years ago even that name was secret, and they spend probably more money than almost any other agency in our country. There were several billion dollars that they couldn't account for, and we finally decided, gee, for what they do, that's small change, and we won't worry about that. You see, the NRO is the organization that buys and launches all of our incredibly expensive spy satellites, and he was the director of NRO; principal deputy assistant secretary to the Air Force; senior vice president, United Technologies.

Hank Kleupfel, advisor to the President's NSTAC; vice president of the very prestigious International Science Applications International Corporation.

General Lawson, a four star general, with a lot of experience.

Gordon Soper, who has a lifetime of experience, is director of the Nuclear Forces C3, the chief scientist at DCA.

And one of my favorites is Dr. Lowell Wood, director's staff, LLNL; technical advisor, SSCI and the House committee, the committee on which I serve.

When I first became interested in EMP, I called Tom Clancy, whom I know, and I knew that he had an EMP sequence in one of his books. And so I knew he knew something about it. And so I called to ask him about it. He said, well, if you read my book you know all I know about it because I put it all in the book. But he referred me to the person who he said was the smartest person hired by the U.S. government. That's a tall order because we hire a lot of people, but this Dr. Lowell Wood, he said, is the smartest person hired by the U.S. government.

And then Dr. John Woodard, who is executive vice president and deputy director of Sandia National Labs. That's an interesting one because I went out to visit the last of our 10 children who has a Ph.D. in computers working at the Sandia National Labs, and he brought home from work some little things that they had sent him that led me to believe there might be some expertise in Sandia National Labs that would be of use in our evaluations of this EMP threat.

So I asked him to inquire about that, and the next day I was over there I think for four or five hours for a classified briefing. Well, I didn't know when I went there that Dr. John Woodard, who is the executive vice president, was one of the nine members of this commission. So that was a very, very fortuitous trip.

I just wanted to note how impressive this group of people are.

Potential adversaries know about EMP. I wanted to spend just a moment on this because I don't want anybody to believe that we're somehow letting the cat out of the bag here in telling people what they don't know, and this is from the EMP Commission itself.

''Hypothetically, if Russia really wanted to hurt the United States''—oh, let me tell you about this. I was there and I think there were about nine of us, a codel, and we were in Vienna, Austria, with three members of the Russian Duma, Vladimir Lukin, who was ambassador here at the end of Bush I, and the beginning of the Clinton administration; the third ranking Communist, a tall, handsome blonde, Alexander Shabonof; and a bright, rising star in one of their parties there, Vladimir Rushkoff.

And we were there in Vienna with a personal representative of Slobodan Milosevic, and Slobodan Milosevic had the three captives, remember, and he wanted rid of them. And his personal representative there said, you understand how important it is for him to get rid of those three people, because if any harm comes to them while they're under his control, that's going to be bad news for him.

Jesse Jackson was there, and they really did not want to release them to Jesse Jackson. They wanted to release them to us. The head of our codel had promised that he wouldn't go there. I had not promised I wouldn't go, and so I volunteered to go. Other members of our codel said, gee, I wonder if we really ought to go, and maybe there will be several additional captives there if we go.

I assured them that if the Russians went with us—and by the way, the Russians joined the G–7 to become the G–8, and 6 days later, the framework agreement which we negotiated there was approved by the G–8. The only large country in whom the Serbs had confidence was Russia, and Russia told us, whatever we agree to in these negotiations, the Serbs will agree to.

Well, Vladimir Lukin sat in this hotel room in Vienna, Austria, for a couple of days during these talks, with his arms folded across his chest. He was very angry. He was looking at the ceiling. He said, you spit on us; now, why should we help you? And he made that statement because the United States had kind of said, you know, then oil wasn't $140 a barrel and Russia was very poor and their military was in decay, and we essentially told them, you know, we're the big boy, we'll take care of this, we don't need you.

And so Vladimir Lukin was kind of smarting under that, and he said, You spit on us; now, why should we help you? And then he made this statement. He said, If we really wanted to hurt you, with no fear of retaliation, we'd launch an SLBM, submarine launch missile. We wouldn't know where it came from; it came from the sea. And we'd detonate a nuclear weapon high above your country, and it would shut down your power grid and your communications for 6 months or so.

Alexander Shabonof, the third ranking Communist who was there, smiled and said, And if one weapon wouldn't do it, we have some spares, like about 10,000 is how many spares they had.

So I was there when they made that statement. The Chinese military writings describe EMP as the key to victory and describes scenarios where EMP is used against U.S. aircraft carriers in a conflict over Taiwan. They read all statements from the EMP Commission.

A survey of worldwide military and scientific literature sponsored by the Commission found widespread knowledge about EMP and its potential military utility, including in Taiwan, Israel, Egypt, India, Pakistan, Iran and North Korea.

As I said earlier, maybe 98 percent of our people don't know much, if anything, about EMP, but I can assure you that 100 percent of our potential adversaries know everything about EMP.

Terrorist information warfare includes using the technology of directed energy weapons or electromagnetic pulse. This is from the Iranian Journal, March of 2001.

Iran has tested launching a Scud missile from a surface vessel, a launch mode that could support a national or transnational terrorist EMP attack against the United States.

And the next chart shows a continuation of these statements to assure us that when we talk about EMP and the fact that we are vulnerable and we really need to do something about that that we're not letting the cat out of the bag.

This is from an Iranian Journal, December of 1998. ''If the world's industrial countries fail to devise effective ways to defend themselves against dangerous electronic assaults, then they will disintegrate within a few years. 150,000 computers [belong] to the U.S. Army. If the enemy forces succeeded in infiltrating the information network of the U.S. Army, then the whole organization would collapse, and the American soldiers could not find food to eat

nor would they be able to fire a single shot.''

This, by the way, is one of the other—when the report said there were just a few weapons that could bring us to our knees and end life as we know it, a really aggressive cyber attack that brought down all of our computers—and our computers control everything. They control your power grid. They control your communication. That is what they're talking about here.

''Terrorist information warfare [includes] using the technology of directed energy weapons or electromagnetic pulse.'' This is the Iranian Journal.

Terrorists have attempted to acquire non-nuclear radio frequency weapons.

What we're talking about specifically today and what our hearing was about and what the editorial in The Wall Street Journal was about was nuclear-produced electromagnetic pulse. We can produce here on Earth a very focused, targeted EMP. It is conceivable, for instance, that you can mount one of those in a van and go down Wall Street and shut down all the computers in the buildings right next to you. That is a very local thing. It would be hurtful, but we could recover from that.

The next chart really is an interesting one. To convince you that our potential enemies really do know about this, this is from a Russian journal, and there it is in Russian and it's obviously EMP. You can see the detonation of the weapon. You can see the sparks here in the power grid. You can see the resisters here, the fuses probably, they're all exploding.

The next chart shows an American translation of what the Russians were saying in this chart, and you will notice the same two figures here.

Electromagnetic fields arise from nuclear explosions which produce impulsive electrical currents and stress in aerial and ground conductors and cables—this is a direct translation, and it's sometimes hard to translate into smooth English words in another language—and in radio station antennas. Radio waves are also produced which propagate to large distances. And boy, they do propagate to large distances.

Electromagnetic fields and currents in the atmosphere arise as the result of the formation near the explosion of a shining region and a large region of ionized atmosphere produced by penetration radiation.

This is our translation of their description of the nuclear detonation and the production of these alpha particles and these Compton electrons.

Source, currents and stresses exhibit transient impulse with characteristics close to the impulse caused by lightning discharges. Its duration is a few milliseconds.

Well, some of the pulses, as a matter of fact, last a couple of minutes. There are some very long wavelengths in this that will couple with railroad tracks, for instance. There's some very, very short wavelengths which will couple with the tiniest fields in a chip.

For ground and aerial explosions, at a radius of a few kilometers from the center of the explosion, overstress between conducting aerial lines or electrical supplies and grounds reach tens and hundreds of thousands of volts.

□ 1845

While between the arteries of underground cables—ah, that's another thing, burying your cables won't protect you. Some of these long wavelengths reach underground and couple with the cables underground. So essentially everything is taken down. The one thing that is immune to it is fiberoptics. But unless you're using optical switching, it will do no good to use fiberoptics because the EMP will take out the switching. So if you have optical switching and fiberoptics, then you're immune to it.

But we can make all of our systems immune to it. It costs some money. Our fighter planes are all immune to it. The President's Air Force One is EMP hardened. We have a few satellites up there that are EMP hardened. But about 95 percent of all of our military communications go over commercial satellites. And the satellites are the weakest link in the chain because it is very expensive to put stuff in space; it costs $5,000, $10,000 a pound. And hardening increases weight as well as expense. And so nothing of our civilian infrastructure, space infrastructure is hardened.

A single detonation 300 miles high above our country would take out all low Earth orbit satellites that are a line of sight. The prompt effects take that out. And then the Van Allen belts are pumped up, and the other satellites will all be dead in a few days to a week or two. And it would do you no good to launch other satellites even if you could because the Van Allen belts will stay pumped up for a year or so.

Of course this effects everybody. This is the strike that comes back to bite you. And so your enemy would have to be prepared that they would also have no satellites because a single weapon would take out all of the Earth's low orbit satellites; no more GPS, for instance.

The next chart is a look at why EMP? Why would an adversary use electromagnetic pulse? States or terrorists may well calculate that using a nuclear weapon for EMP attacks offers the greatest utility. EMP offers a bigger bang for the buck against the U.S. military forces in a regional conflict or a means of damaging the U.S. homeland.

There is no way that a nuclear weapon could be used at ground level that would produce anywhere near the effects that are produced by a nuclear weapon detonated in space, producing this EMP pulse.

EMP may be less provocative of U.S. massive retaliation compared to a nuclear attack in a U.S. city that inflicts many prompt casualties.

If there was an EMP attack on our country, all that it has done is to take out all of our computers, which means we have no power grid, we have no communications. How do you respond to that? Are we now justified in vaporizing the grandmothers and babies in the country from which it was launched? By the way, unless it's launched by Russia, which has thousands of missiles, or by China in the future, I don't think we will know who launched it because I don't think that any nation will launch against us from their soil because our satellites would detect the launch and we would know where it came from. And why should they? They're a long way off. Our shores are close to the oceans, and there are thousands of ships in the north Atlantic shipping lanes. It is impossible to keep track of those ships. It would be very easy to—and their literature talks about this—using a short range or a medium range missile, to launch from a ship.

There is a very interesting story—I hope that it is published, I was given a prepublication copy of it—called ''One Second After.'' And it's a story of what happens in our country with an EMP attack. It's a very well written story. It's in the hills of North Carolina. And there is a retired colonel who is there teaching in a university there. And on his child's 12th birthday, I think it was, they're having the birthday party and the lights go out. And he notices in a few minutes that there is no noise from the interstate, which is just over the hill. And he walks over to where he can look down on the interstate and he sees that all the cars are parked on the interstate and people are walking around the cars.

The story runs for a year. And at the end of the year—and I asked the members of the commission, they said, well, it might not be quite that bad, but at the end of the year in this story called One Second After there are only 25,000 people still alive in New York City, 90 percent of the country's population is dead, only 80 percent of the population in the area in which the story is set in North Carolina is dead. I said that for many people this is just too bad to be true, and so they don't even want to think about it.

During the Clinton administration he had a commission to set up, headed by General Marsh, to look at critical infrastructure. And they came to testify before our Armed Services Committee and we asked them, did you look at EMP? He said yes, we looked at EMP. Well? Well, we decided there was not a high probability of an EMP attack, so we didn't look at it anymore. I said, well, gee, with that attitude, if you haven't already, when you go home tonight you're going to cancel your fire insurance. I mean, that's why we have insurance, when there is a low probability, high-impact event. And I know of nobody at the end of the year, I've never heard anybody come and complain, gee, you know, I bought that fire insurance and my house didn't burn.

All that I want my country to do is to make the kind of an investment

that represents the equivalent of buying fire insurance on your house. Now, I have fire insurance on my house, I wouldn't sleep well tonight if I didn't, but I haven't hired somebody to stand there and to yell ''fire, fire,'' when he sees a fire. I'm content with my smoke alarms and so forth. But I've done what I think is a reasonable thing. But as the EMP Commission pointed out, our country has not done what would appear to be a reasonable thing in preparing for this eventuality, neither in the military nor in the private sector.

And these two studies that I referred to, the one by CRS, the Congressional Research Service, and the other by this commission, both of them paint the same picture, that an EMP attack on our country would be catastrophic. Now, there is something that we can do about that. And the Commission ends with a number of recommendations.

What would we do if there was an EMP attack on us? Not a building is hurt, you are not hurt—for the moment. Although, if it was really this 200 kilovolt per meter weapon—and we have not tested anything more than a fourth of that, about 50 kilovolts per meter—if it really was that weapon, the members of the commission are fairly confident that everything comes down, which means that you're in a world where the only person you can talk to is the person next to you, unless, by the way, you happen to be a ham operator with a vacuum tube set because vacuum tubes are a million times less susceptible to EMP.

I remember a number of years ago a Soviet MiG pilot defected to Japan, and you may remember that. And we were disdainful of the Russians because their planes still had vacuum tubes; they're a million times less susceptible to EMP. And the only way you could go anywhere after this really robust EMP laydown is to walk, unless you happen to have an old car that has coil and distributor. These are really tough; they almost certainly would be immune to this.

EMP could compare to a nuclear attack on a city, kill many more Americans in the long run—nobody immediately—and we die in the long run because we do not have any electricity, we do not have any transportation. The average city has 3 days supply of food. And go to any of our major cities and have the lights go out for a few hours and you will see how thin the veneer of civilization is.

EMP could, compared to a nuclear attack on a city, kill many more Americans in the long run from indirect effects of collapsed infrastructure, power, communications, transportation, food and water. City water is not flowing, the septic system is not working.

What do you do? There are a number of recommendations—we'll look at a few of those in a few moments—that they make. But the commission is convinced that, with reasonable expenditure, we can do something meaningful to protect ourselves against this. And by the way, our very vulnerability invites this attack. They know how vulnerable we are, it's in their public writings. They know that.

Strategically and politically, an EMP attack can threaten entire regional or national infrastructures that are vital to U.S. military strength and societal survival—vital to survival, they're making the point—challenge the integrity of allied regional coalitions and pose an asymmetrical threat more dangerous to the high-tech West than to rogue states.

To a state without our sophisticated infrastructure, losing electricity wouldn't matter much. There are many countries in the world that have a few hours of electricity in the morning and a few hours of electricity in the evening, that may have only water at certain hours of the day. And when they do that, they plan to store that water so that they will have enough for the rest of the day. So cultures like that would be nowhere near as much affected by an EMP attack as we would.

Technically, an operational EMP attack can compensate for deficiencies in missile accuracy—if you miss by 100 miles, it doesn't matter; it really doesn't matter if you miss by 100 miles—fusing range, reentry vehicle design, target location intelligence, and missile defense penetration. It really doesn't matter. None of these things matter. You just shoot a weapon. If a scud launcher goes up about 180 miles, that's plenty high to shut down the whole northeast and well down the mid coast. And it really doesn't matter if you miss where you would like it to detonate by 100 miles, it really doesn't make any difference.

The next chart shows the kind of technology we used to have during the Cold War. This is a trestle on which we have a large airplane. And we are doing simulated EMP attacks on that airplane to make sure that we have hardened the airplane. That's all mothball now, we aren't doing that anymore. By the way, it was impossible to really simulate an EMP attack because of the long line effect. There isn't any way, with this EMP burst created here on Earth, that we could cover an area miles long. And railroad tracks, power lines, any of these things are antennas. And there are some very long wavelengths here that, coupled with very strong structures like miles of power lines or miles of railroad tracks, and you really can't simulate the line effect. But we've done as good as we can do. And after hardening, we would test the planes to make sure that we had hardened them.

The next chart is one that is from this study of the EMP Commission. They started out looking at the military, but since all of our military bases are surrounded by towns and cities and suburbs and so forth, and since none of our military bases are stand-alone, as far as how power is concerned, they have some UPS units, some units that will produce temporary power, but few of them will last more than 48 hours and then their tank of fuel has run out and the generators stop working.

And so they started looking at the interface between the military and the civilian infrastructure, and they became very, very concerned about how interrelated and how fragile our national infrastructure was. It has grown to accommodate the growth of our population and our increased demands for energy, and it is not designed as an integrated system as it would be if you didn't have any of this and you started from scratch and put the whole thing in; it's kind of added on to and added on to. And so they have this little chart which shows, like a house of cards, the interrelationships between oil and gas and communications and water and banking and finance and government services and emergency services and transportation and electrical power and fuel. Look at the lines that run there, they all run from electrical power. If you don't have electrical power in our world, you don't have anything. Very few things operate without electrical power. So they were very concerned about the vulnerability of our national infrastructure.

One of a very few high-altitude nuclear detonations can produce EMPs simultaneously over wide geographical areas. Just one will do, as the previous chart showed, if you detonate it about 300 miles high over Iowa or Nebraska. Unprecedented cascading failure of our electronics-dependent infrastructure could result. As a matter of fact, if one of these super EMP-enhanced bombs is used, you will change that word to ''would'' result because there is no question but that that would bring down our whole infrastructure.

□ 1900

Power, energy, transport, telecommunications, and financial systems are particularly vulnerable and interdependent, and they would all come down. EMP disruption of these sectors could cause large-scale infrastructure failures for all aspects of the Nation's life.

Again, I say you would essentially, if this biggest weapon was used that produces 200 kilovolts per weapon, you would be in a world where largely the only person you could talk to is the person next to you unless you had that ham radio with a vacuum tube in it, and the only way you could go anywhere is to walk unless you happened to have a car that had a coil and a condenser.

Both civilian and military capabilities depend on these infrastructures, almost totally. Without adequate protection, recovery could be prolonged months to years. That's a very long time to hold your breath in a situation like this.

Now we will look at the conclusions and they had a number of conclusions. One of the conclusions was the EMP

threat is one of a few potentially catastrophic threats to the United States. By taking action, the EMP threat can be reduced to manageable levels. U.S. strategy to address the EMP threat should balance prevention, preparation, protection, and recovery. And one of the first things that we should do is to look at recovery. Should it happen, what would you do?

I remember that during the Cold War, I was working for IBM corporation, and I was concerned about what we would do when we came out of the fallout shelter. And then those fallout shelters were so prevalent, so omnipresent, that IBM was giving their employees interest-free loans to build a backyard fallout shelter. And I asked myself what would I do when I come out of the fallout shelter because it's going to be a whole different world? Then we were looking at perhaps hundreds of nuclear weapons falling on our cities and taking them out, but we had all of the fallout shelters, the civil defense things. Any public building you went into, there were brochures there telling you what you ought to do and how to do it. So people were really thinking about it. And in schools you practiced what you would do if there was an attack. You would put your head down between your knees and so forth. I remember that when I worked for the National Institutes of Health, we had drills there because our big research hospital there was going to become, I think, a 500-bed hospital for casualties. Then we developed and the Soviets developed the hydrogen bomb, and we weren't even sure that the hospital was going to be there after that. It was certainly going to be there after the conventional nuclear weapon. But we were preparing for that. So we can do something to prepare.

Critical military capabilities must be survivable and durable to underwrite U.S. strategy. If the enemy knows that they cannot shut down our retaliatory force, they will be much less inclined to do this unless they plan to do it in a very covert way. By the way, the book that I mentioned, this attack on our country, ''One Second After,'' the attack comes from a missile which is launched at sea, and then after the missile is launched, the ship is sunk so there are no fingerprints.

The next chart shows some conclusions, some action items. The 2006 defense authorization bill contains a provision extending the EMP Commission, and now we have the 2008 bill, and we are hoping to extend it now until 2012. The commission has been very effective. I will tell you that your military now is acutely aware of this and the Pentagon is aggressively addressing it. I come from Maryland, and I was pleased when the commission members told me today that Maryland is one of two States in the country that is as a State doing something about this. And so we hope the Commission will be very active in the next 4 years, and they are going to States, they are going to rotary clubs, they are going everywhere they can go to tell the people about this and what we can do and should do.

Terrorists are looking for vulnerabilities to attack, and our civilian infrastructure is particularly susceptible to this kind of attack. As I mentioned, our very vulnerability invites attack, and we can reduce the probability of attack if we do something meaningful to protect ourselves.

The Department of Homeland Security needs to identify critical infrastructures. Indeed they do. I have been concerned that our Homeland Security Department is doing essentially nothing in the area of civil defense. And I remember very well the Cold War. I was born in 1926, and I grew up during the Depression and then the long World War II and the long Cold War after that. And I remember we would have blackout drills, and one of the neighbors would be assigned on a volunteer basis to make sure that everything was blacked out. This was during the war when there was some threat that enemy bombers might be coming over our country. And then during the Cold War that followed that, every public building you went into would have literature telling you how to produce a fallout shelter, how to improvise one in your basement if you hadn't built one outside, the kind of food to store. It was available for sale at many places. How much water you needed. They had pictures of the fallout shelter and the beds and so forth and how you would make due there for the several days to a couple of weeks. And they made available monitoring equipment so that you would know when it was safe to go out when the radiation levels had fallen down to where it was safe to go out. So everybody—we practiced in schools. At our workplaces we practiced. And today there is essentially no attention given to advising individuals, businesses, churches, social clubs what they can do individually and collectively, and I will tell you that our strength is going to be determined not so much by our military, which is going to be okay, but our strength as a country is going to be determined by what we have done individually as families, as small communities to protect ourselves so that we do not become immediately a ward of the State.

And they asked Dr. Bill Graham what he had personally done. He has a generator which is not plugged in. Plug it in. It's hooked to the electrical system. It's a long line, effective, a big antenna. It's much more likely to be damaged if it's plugged in. With 200 kilovolts per meter, by the way, it's probably all gone anyhow. But if it's a lesser intense weapon than that, not plugging in it would make a difference. He has food and water for several days.

The average city has 3 days supply of food, 3 days supply of food. And I noted in the hearing today that if in anticipation of this, a year or 2 before and even a decade because this food, nitrogen packed and freeze dried, will last a very long time, then you are a patriot because now you're stimulating the economy. But if you wait until the hurricane is at the door or the missile attack is imminent and you do exactly the same thing, now you're a horder. Have you thought about that difference? You've done exactly the same thing. You put away food and water and essentials for survival. If you do it well ahead of the event, now you're a patriot, doing the right thing. If you do it immediately before the event, now you've become a horder. And nobody likes a horder.

The Department of Homeland Security also needs to develop a plan to help citizens deal with such an attack should it occur. This is not me saying that. It is the EMP Commission saying that. Citizens need to become as self-sufficient as possible. And they note something which is really very important. There are a number of things, a Hurricane Katrina, almost nobody there had made any preparation for this. And with hours they now were dependent on services from a government that wasn't there, that couldn't get there. And the Federal Government will tell you don't count on us for at least 72 hours. You need to be on your own. And I think that the really wise thing to do would be to be prepared for several days to several weeks. And there are any number of natural events or human-caused events that could result. Suppose it was a major strike. Oil is now 141 or so dollars a barrel, gas is over $4 a gallon, diesel nearly $5 a gallon. At some point the trucker may decide enough is enough, we quit, in protest, you've got to do something about this. A 3-day supply of food in the stores. Wouldn't it be nice if you had a meaningful supply in your home so there are a number of storms that you could weather in addition to this one? Citizens need to become as self-sufficient as possible.

Well, I have been concerned about electromagnetic pulse now for a number of years. I am very pleased that we were able to get this commission set up. I am really pleased with the quality of the commission and what they have been able to do. And now we are extending it. We have already passed the bill in the House here. We're extending it now for 4 more years, to 2012, and I look forward to the commission's being active. And this is really very stimulating and challenging, and meeting a big challenge like this and overcoming it is exhilarating. And I will tell you, rather than watching silly programs on television, the family would be much better rewarded and would feel better if they would sit down and say what can we do to prepare for this? Because our country is going to be stronger if I am self-sufficient and maybe I have enough to help somebody else, so that I'm not a ward of the State. And I hope that your government—the Homeland Security is the right place to look—is going to become more active in telling you what you need to do. But if they

don't, go back and look at the advice given during the Cold War. What we were encouraged to do then, what we did then is precisely the kind of thing we need to do now. Now, there was lots of preparation. There were fallout shelters that would accommodate hundreds of people. If you went to Switzerland, if you go today, you will find that all of Switzerland can go underground with enough food and water to last them for quite a while. Now, we never had that level of preparedness, but we were enormously better prepared then than we are now.

Well, Madam Speaker, I am pleased for this opportunity to talk about this very important subject, and I hope that we become less and less vulnerable, which will reduce the threat more and more.

OUR TWIN PILLARS OF FREEDOM: THE DECLARATION AND CONSTITUTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from California (Mr. DANIEL E. LUNGREN) is recognized for 60 minutes.

Mr. DANIEL E. LUNGREN of California. Madam Speaker, we are in this Chamber just several days removed from our July 4th district work period, and I had reserved time on the Friday before our scheduled departure to discuss the importance of and the relevance of the birth date of this Nation. Since our session for that day was canceled, this is my first chance to speak on that subject.

Nearby in the Capitol rotunda hang four paintings crafted from the hand of John Trumbull, one of George Washington's aides-de-camp during the Revolutionary War. In the first of them, members of the Second Continental Congress, now 232 years ago, signed their names to the Declaration of Independence, thereby formalizing a severance of the institutional bonds between the colonies and their mother country. Out of a ''decent respect for the opinions of mankind,'' they stated the reasons for this action in assiduous detail, invoking the ''laws of nature and of nature's God'' and the natural right of revolution because their inalienable natural rights had been abridged.

Twelve years later, after a long, exhausting, but ultimately successful war for independence, the people of this country were debating in ratifying conventions up and down the eastern half of our now expansive land whether to ratify or reject a new governmental framework for our experiment in self-government. That document, our Constitution, which Akhil Amar, perhaps understating the case, has called ''one of the most important legal texts in human history,'' would ultimately be approved, and thus would commence the beginning of our new government.

Today in the afterglow of the colorful commemoration of our national independence—and I might say I was fortunate enough to enjoy the fireworks at Kings Beach, California, and Incline Village, Nevada, as well as the city of Folsom Rodeo this past weekend—I rise to celebrate our twin pillars of freedom, the Declaration of Independence and the Constitution.

□ 1915

Madam Speaker, they are much more than dry pieces of parchment from centuries bygone. No. They are documents which embody the very notion of our independence, recognizing our unique quality of self-government and cementing our commitment to constitutionalism. Make no mistake, this was something much more than just and efficacious for mankind than that which had come before. Yes, we have much to celebrate.

Madam Speaker, these celebratory facts were not foreordained. As Carol Berkin has written, 1786, ''was the 10th anniversary of the Declaration of Independence and the third year of life in a new Nation, but political leaders everywhere feared there was little cause to celebrate. Dark clouds and a suffocating gloom seemed to have settled over the country, and these men understood that something had gone terribly wrong.

''From Virginia, George Washington lamented the steady stream of diplomatic humiliations suffered by the young Republic. Fellow Virginian, James Madison, talked gravely of mortal diseases afflicting the confederacy. In New Jersey, William Livingston confided to a friend his doubt that the Republic could survive another decade. From Massachusetts, the bookseller-turned revolutionary strategist, Henry Knox, declared, 'Our present Federal Government is a name, a shadow without power or effect.' Feisty, outspoken John Adams, serving as America's minister to Great Britain, observed his Nation's circumstances with more than his usual pessimism. The United States, he declared, was doing more harm to itself than the British Army had ever done. Alexander Hamilton, John Jay, James Monroe, Robert Morris, in short, many from every State, agreed that a serious crisis had settled upon the Nation. The question was: Could they do anything to save their country?''

The answer that came forth was a thunderous yes. They did do something to save their country. Our Constitution was the fruition of 4 long, hot months of deliberation in Philadelphia, Pennsylvania.

On September 15, 1787, delegates there finalized a text, and 13 days later Congress, then meeting in New York, voted unanimously to send the proposed Constitution to the people of each State for ratification.

Madam Speaker, the framers of our Constitution articulated a new science of politics. It had been believed that republics were only feasible as small homogenous clusters and were most likely destined to fail, since Democratic governance could lead to the tyranny of the majority or demagogic usurpation of people's consent, sovereignty rights, and freedoms.

And so this new, unproven republican design was put before the people through the instrument of ratification. James Madison, the Father of the Constitution, said that without ratification, the Constitution was like a dead letter. In fact, life and validity were breathed into it by the voice of the people, speaking through several State conventions.

Contrary to contrary expectations in the 21st century, popular ratification was a novel idea. Underscoring the boldness of their venture, several States even made their voting qualifications more inclusive than before so that more could partake in the ratification process.

And what a rich process it was. Brutus, Publius, Anti-federalists, Federalists. The debates over ratification still enlighten, inform, and reminds us of the seriousness with which we take our political system and the principles embedded within it.

So it's important for us to remember just a week after this grand Fourth that our history included framers, signers, and ratifiers, and as always, then as now, there were also those of us, merely we, the people.

As Alexander Hamilton wrote to the voters of New York in Federalist Paper No. 1, ''After an unequivocal experience of the inefficacy of the subsisting Federal Government, you are called upon to deliberate on a new Constitution for the United States of America. The subject speaks its own importance. It has been frequently remarked that it seems to have been reserved to the people of this country by their conduct and example to decide the important question, whether societies of men are really capable or not of establishing good government from reflection and choice, or whether they are forever destined to depend for their political constitutions on accident and force.

If there be any truth in the remark, the crisis at which we arrived may, with propriety, be regarded as the era in which that decision is to be made, and a wrong election of the part, we shall act may, in this view, deserve to be considered as the general misfortune of mankind.''

Thankfully, many agreed with Hamilton, and our Constitution is still intact today, 220 years later. In the intervening years, much has been written about how to appropriately interpret our Constitution. What do its clauses mean; what do its phrases imply; what is the scope of this or that respective enumerated or unenumerated power? How are we to approach or understand issues today that were unforeseen in 1787 or 1788?

Madam Speaker, I believe the constitutional interpretation should be a principled process, moored and anchored in the text, ascending up from the text, meaning context, and history

of the words, phrases, concepts and structures of the Constitution itself, not a deductive process says that begins by asking, as one former Justice, according to one of his former law clerks, used to ask, What is the just result, and working backward from the answer to that question to see how it would comport with relevant theory or precedent.

I am for ultimate justice, Madam Speaker. But such an untethered interpretative technique is neither just nor fair to the individuals in specific cases. Justice implies measurement by some objective standard in an appropriate and specified context, not in a free-ranging philosophy seminar that only tangentially touches upon the context for this particular discussion that is the Constitution of the United States.

Akhil Amar is right, ''A careful examination of constitutional text, history, and structure will often leave us with a clear answer. At other times, however, the most the document can yield is the right set of questions to ask ourselves.'' But this is no deficiency. As we all know, asking the right question is the first and most important step towards appropriate adjudication and resolution.

Now some have argued through our history that the Constitution is outdated and irrelevant to our contrary circumstances and lives. Outdated, irrelevant? How could it be, and what does that mean? For it to be outdated we'd have to ignore Chief Justice John Marshall's words when he said that, ''We must never forget it is a Constitution we are expounding.'' Why would he exhort us to elucidate something outdated and irrelevant?

One prominent Justice once said that Justices should adjudicate according to the felt necessities of the time. This is contrary to the thoughts of John Story, who wrote in his famous Commentaries that the Constitution has, ''a fixed, uniform, and permanent construction.'' To measure the felt necessities of the time is an impossible task. Whose necessities are to be felt; how are such feelings to be measured, is this the proper role of the judiciary, even if it were possible?

As Hamilton wrote in Federalist No. 78, the judicial branch was to have neither force nor will. In Osborne versus Bank of the United States, Justice Marshall said that the judicial department has no will in any case. Judicial power is never exercised for the purpose of giving effect to the will of the judge, always for the purpose of giving effect to the will of the legislature or, in other words, to the will of the law. Judicial power, as contradistinguished from the power of law, has no existence. Courts are mere instruments of the law, and can will nothing.''

Again, Story reminds us that the judge ought not to enlarge the construction of a given power beyond its fair scope of its terms merely because the restriction is inconvenient in politic or even mischievous. Since the Government of the United States is one of limited and enumerated powers, a departure from the true import and sense of its power is pro tanto in the establishment of a new constitution. It is doing for the people what they have not chosen to do for themselves. It is usurping the functions of a legislator and deserting those of an expounder of the law.''

In another case, Justice Marshall wrote, ''to say that the intention of the instrument must prevail; that this intention must be collected from its words; that its words to be understood in that sense in which they are generally used by those for whom the instrument was intended; that its provisions are neither to be restricted into insignificance, nor extended to objects not comprehended in them, nor contemplated by its framers; is to repeat what has already been said more at large and is all that can be necessary.''

Thus, the Constitution endeavors to draw the broad strokes of principle and dimension, not to articulate each and every iota of detail which may arise from the entire future of American history. In McCulloch versus Maryland, Chief Justice Marshall tells us, ''A constitution, to contain an accurate detail of all the subdivisions of which its great powers will admit, and of all the means by which they may be carried into execution, would partake of the prolixity of a legal code, and can scarcely be embraced by the human mind. It would, probably, never be understood by the public. Its nature therefore requires that only its great outlines should be marked, its important objects designated, and the minor ingredients which compose those limits be deduced from the nature ate of the objects themselves.

''That this idea was entertained by the Framers of the American Constitution is not only to be inferred from the nature of the instrument, but from the language. Why else were some of the limitations found in the ninth section of the first article introduced?

''It is also, in some degree, warranted by their having omitted to use any restrictive term which might prevent its receiving a fair and just interpretation. In considering this question, then, we must never forget that it is a Constitution we are expounding.''

In the Dartmouth College case, Marshall explained that, ''although a particular and rare case may not in itself be of sufficient magnitude to induce a rule, yet it must be governed by the rule when established unless some plain and strong reason for excluding it can be given. It is not enough to say that this particular case was not the mind of the convention when the article was framed, nor the American people when it was adopted. The case, being within the words of the rule, must be within its operation likewise.''

In contrast to those who believe that the Constitution is nothing but a set of policies which enjoy popular acceptance at the time of ratification, followed by judicial interpretation in light of the conditions and opinions of later years, I would agree with the esteemed judge and scholar, Michael McConnell, who has written that, ''constitutional language is an embodiment of legal principles; it is necessary to understand those principles in order to understand the Constitution.'' It would be most unwise to separate and detach all interpretive ties to the text and context of the actual document as well as to the structure and concepts with it because, Madam Speaker, once that is done, we now would be playing a deductive game of polling and power based on the momentary whims of the people and the magnified moods of missionary-minded judges.

Constitutional jurisprudence must be more than the inevitable byproduct of different political and social milieus. In the traditional enterprise of constitutional law, the meaning of the Constitution is seen to be a legitimate question for historical interpretive inquiry. I would argue this should not change.

Madam Speaker, our Declaration and Constitution are worth celebrating here tonight because of the unique framework they give us to govern ourselves to prosper by offering ourselves economically, socially, and societally according to the rule of law and to attempt to discern the common good. It also allows individual citizens and communities the capacity and volition to decide for themselves whether to shrink from or rise to doing their duty as citizens and individuals, since republicanism empowers the people.

So this is our challenge. As de Tocqueville said, ''in Democratic times especially, the true friends of freedom and human greatness must be on guard because an inordinate amount of individualism can lead to self-seclusion, fear, and temerity.

□ 1930

But it doesn't have to be this way. As Harvey Mansfield has reminded us, our constitutional system allows for democratic greatness to appear in individuals with extraordinary knowledge, vision and ability, but such individuals are always constrained by constitutional boundaries.

More importantly, since our system recognizes the fallibility of our human nature, it does not depend on honor and virtue being constantly present in the executive or in positions of legislative or judicial leadership. Thankfully, our constitutional system allows for ideas and societal passions to be filtered through the vortex of time, transparency and deliberation.

As Federalist No. 10 says, ''As long as the reason of man continues fallible and he is at liberty to exercise it, different opinions will be formed. As long as the connection subsists between his reason and his self-love, his opinions and his passions will have a reciprocal influence on each other and the former will be objects to which the latter will

attach themselves. The diversity in the faculties of men from which the rights of property originate is not less an insuperable obstacle to the uniformity of interests. The protection of these faculties is the first object of government. From the protection of different and unequal faculties of acquiring property, the possession of different degrees and kinds of property immediately results; and from the influence of these on the sentiments and views of the respective proprietors ensues a division of the society into different interests and parties.''

And then he says something very interesting. ''The latent causes of faction are thus sown in the nature of man; and we see them everywhere brought into different degrees of activity according to the different circumstances of civil society. It is in vain to say that enlightened statesmen will be able to adjust these clashing interests and render them all subservient to the public good. Enlightened statesmen will not always be at the helm. Nor, in many cases can such an adjustment be made at all without taking into view indirect and remote considerations, which will rarely prevail over the immediate interests which one party may find in disregarding the rights of another or the good of the whole.''

So, Madam Speaker, given the potential for evil intrinsic within human nature, our framers were wise not to give man too much credit, but not so pessimistic as to regulate themselves to fatalistic hopelessness.

Our system of checks, balances and federalism allows for the refining and enlarging of public views. As Madison writes in Federalist 55, ''As there is a degree of depravity in mankind which requires a certain degree of circumspection and distrust, so there are other qualities in human nature which justify a certain portion of esteem and confidence. Republican government presupposes the existence of these qualities in a higher degree than any other form. Were the pictures which have been drawn by the political jealousy of some among us faithful likenesses of the human character, the inference would be that there is not sufficient virtue among men for self-government; and that nothing less than the chains of despotism can restrain them from destroying and devouring one another.''

Madam Speaker, the history of the past 220 years teaches us that we do not need the chains of despotism to restrain ourselves from self-mutilation. Our Constitution has served and continues to serve us well in times of intense societal debate and in times of relative calm.

Herman Belz has written that ''the framers intended the Constitution as a permanent instrument of government for the American people and that instrument has proven to be quite remarkable.''

Several years ago, a former Associate Justice of our Supreme Court said that ''the Union survived the Civil War, the Constitution did not. In its place arose a new, more promising basis for justice and equality, the 14th amendment.''

I would humbly disagree with that assessment. The Constitution is the Constitution because of its amendability, whereby it allowed for just such a development as the 14th amendment to take place, fulfilling its original purpose, that is, to devise a system of government presupposing the equality of persons under the law.

One current Justice has recently said that ''the Constitution evolves and should reflect changes in society; that going back to what was meant originally when they wrote, for instance, 'We the People' makes little sense.''

I disagree. It does make sense. ''We the People'' did institute this government, or else under what court and government does the Justice now serve, since this government is the one constituted in 1789 and in continuation to this day? Thankfully, we, unlike any other government then established on earth, set up a constitutional framework that allowed for changes to be made according to the orderly deliberation of society through representation and the legitimacy of the legislative process.

Let us not forget, as Akhil Amar has said, that ''the framers themselves also were, after all, revolutionaries who risked their lives, their fortunes, and their sacred honor to replace an Old World monarchy with a New World order unprecedented in its commitment to popular self-government. Later generations of reformers repeatedly amended the Constitution so as to extend its liberal foundations, dramatically expanding liberty and equality.''

Thankfully, throughout our history we have had leaders and statesmen who were committed to constitutionalism and not to power and might. After all, as Lincoln said in his first inaugural, ''If, by the mere force of numbers, a majority should deprive a minority of any clearly written constitutional right, it might, in a moral point of view, justify revolution.''

As Federalist 71 stated, ''The Republican principle demands that the deliberate sense of the community should govern the conduct of those to whom they entrust the management of their affairs, but it does not require an unqualified complacence to every sudden breeze of passion or to every transient impulse which the people may receive.''

Madam Speaker, none of us has the right to oppress minorities, let majorities rule tyrannically or turn the Constitution into a grab bag of personal policy preferences and arbitrary power grabs. We all have a responsibility to study the Constitution and attempt to humbly delineate the contours of confluence between constitutional principle and our contemporary realities to which it has applied.

Each of us has a duty to do this. After all, each member of the three representative branches takes an oath to ''support and defend,'' or to ''preserve, protect and defend'' the Constitution of the United States. We must take those oaths seriously. We must take the 9th amendment seriously, which states, ''The enumeration of the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.''

We must take the 10th amendment seriously, which states, ''The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.''

These are important clauses and should not be forgotten, lest we forget the accumulation instead of the dispersion of power is the very reason we sought our independence, unless we assume self-government is free, easy, and passively perpetual.

And in this regard, I would refer to Alexander Hamilton's words in the Federalist Papers No. 78, where he described his vision of the judiciary as one of the three major branches. And these are his words: ''Whoever attentively considers the different departments of power,'' they referred to the branches as ''departments,'' ''whoever attentively considers the different departments of power, must perceive that in a government in which they are separated from each other the judiciary, from the nature of its functions, will always be the least dangerous to the political rights of the Constitution.''

He goes on to say, ''It proves incontestably that the judiciary is beyond comparison the weakest of the three departments of power, that it can never attack with success either of the other two, and that all possible care is requisite to enable it to defend itself against attack.''

But then he goes on to make an interesting point that is often lost. He says, ''As liberty can have nothing to fear from the judiciary alone, but would have everything to fear from its union with either of the other departments.''

What he is saying in current vernacular is that if the judiciary ever trespasses on the proper powers of the other two branches, it will become the most dangerous. He is suggesting that in the area of the activity of the democratic branches of government, that is those who are elected by the people and most readily subject to their action, the executive, and particularly the legislative, that if any of their power is encumbered, encroached, trespassed upon or poached by the judiciary, it would become, rather than the weakest, the most dangerous branch of government.

That is why I would suggest that we ought to look at the words of Chief Justice Roberts when he was up for his confirmation hearings in the Senate. When asked what his philosophy was, among other things he said, ''One of judicial modesty.'' I have often used the word ''judicial humility,'' and what I

mean by that is a recognition of the limitations of the expanse of their power.

Judge Andrew Kleinfeld of the Ninth Circuit Court of Appeals in his dissent in Compassion in Dying v. State of Washington case in 1996 said these words: ''That a question is important does not imply that it is constitutional. The Founding Fathers did not establish the United States as a democratic republic so that elected officials would decide trivia while all great questions would be decided by the judiciary. That an issue is important does not mean that the people through their democratically elected representatives do not have the power to decide it. One might suppose that the general rule in a democratic republic would be the opposite, with a few exceptions.''

One of the proper understandings of the Constitution, Madam Speaker, is that there are limitations for all three branches of government, including the judiciary, and that the judiciary, if it makes a mistake of reaching beyond what its role ought to be, destroys the intrinsic value and purpose of the other two.

To put it another way, Justice Scalia said a number of years ago in a speech, he said when he was a kid growing up and you saw something that you didn't like or you thought that was wrong, your response was there ought to be a law. But he says, today if you see something you don't like or something you think is wrong, your response is, it is unconstitutional.

Now, those are just a few words changed in your response. Your emotional response to the situation is the same, maybe even your intellectual response to the substance is the same, but your response in terms of the manner by which you address the problem is so different that it radically changes the substance as well as the environment.

What do I mean by that? When an issue is determined to be constitutional, it becomes ultimately the final decisionmaking arena of the courts. It is taken out of the hands of the democratic branches, because the democratic branches cannot, unless they enact a formal amendment to the Constitution, cannot do anything to overturn that decision by the court.

So if we define every important issue as a constitutional issue, we are rendering impotent to a degree both the executive, but, more importantly in my judgment, Madam Speaker, the legislative branch, and particularly the House of Representatives.

□ 1945

So as we should understand the reach and limits of our branch, as the executive branch should understand the reach and limitations of their branch, so ought the judicial branch.

Madam Speaker, today, because of the Declaration and the Constitution, we do not live under the perverted political thumb of the divine right of kings, under the specter of religious persecution and bloody religious wars, under monarchy, or feudalism. For that we are thankful.

We are not a blood and soil Nation. We are a propositional Nation, committed to the equal natural rights of all citizens to life, to liberty, to the pursuit of happiness, not to the immediate satisfaction of momentary appetites. We are a Constitutional system in a multifaceted society that guards against the twin evils that may be found in popular democratic government: Majority tyranny on the one hand, and demagoguery on the other. Our mediating institutions, whether they are families, whether they are churches, and our voluntary associations are so important because they temper our unrestrained passions.

Madam Speaker, the Declaration and Constitution can edify and teach Americans about our history as a people. Ours is a history that includes millions of honorable citizens and numerous men and women of extraordinary contribution:

Men like Roger Sherman, who was one of only two men who signed the Declaration, the Articles of Confederation, and the Constitution. He was a delegate to the first and second Continental Congresses. He was a member of the five-man committee formed to draft the Declaration of Independence, and a member of the Committee of Thirteen formed to comprise the Articles of Confederation. At the Constitutional Convention in 1787, he actually delivered more speeches than all but three others. He was instrumental in the Great Compromise, was a Member of the first U.S. House of Representatives, later served in the Senate, where he played important roles in the debate over the Bill of Rights and the national bank.

Or men like John Dickinson, a Quaker from Delaware and Pennsylvania who served both States as the elected chief executive. Dickinson wrote the instrumental Letters From a Farmer in Pennsylvania, which circulated in 1767 and 1768; was a delegate to the Stamp Act Congress in October of 1765, where he drafted the Declaration of Rights and Grievances. A member of the first and second Continental Congresses, Dickinson was a principal draftsman of the Declaration of the Causes and Necessity of Taking Up Arms issued in July 1775, and one of Delaware's delegates to the Constitutional Convention of 1787.

Or, finally, men like James Wilson, who made more speeches than anyone at the Constitutional Convention, than Governor Morris, served on the Supreme Court and articulated so eloquently the principles of natural rights our Declaration and Constitution were meant to protect.

Madam Speaker, a few years ago, the esteemed historian Bernard Bailyn wrote a short series of essays which he entitled To Begin the World Anew. Taking his title from the hopes and pens of Thomas Paine, in this splendid and fascinating collection of essays he explained how the Founders, including those just like the ones I mentioned, were provincial, they were isolated, they were unaristocratic; yet their perseverance, imagination, and vision were not inhibited, leading to what Carol Berkin has called, ''A brilliant solution: Our Constitution.'' Indeed, it was and is.

Several years ago, it was written that, ''At the dawn of a new millennium, constitutional law is at risk of losing touch with the Constitution itself. A dense doctrinal grid threatens to obscure the document with generally unfortunate consequences. The Constitution is wiser than the Court. The document will outlast many of today's doctrines, and it provides a stable fulcrum from which to criticize some of the Court's less admirable adventures.''

Let this always be the case. For as John Ely has written, ''Though the identification of a constitutional connection is only the beginning of analysis, it is a necessary beginning. The Court is under an obligation to trace its premises to the charter from which it derived its authority. It should do this for many reasons, none other than the fact that what the American people have said and done in the Constitution is often more edifying, inspiring, and sensible than what the justices have said and done in the case law.''

Madam Speaker, today our Declaration and Constitution should be celebrated, not as mere icons or cultural symbols that immature societies need to give them cultural and simplistic cohesion. No, the Declaration and the Constitution should be celebrated for what they really are, demarcations of our commitments as a people to as wise a system as possible, given our human fallibility of government here on Earth.

I happen to agree with a current Member of the Senate who said, ''I have a deep-seated belief that America is unique, strong and great, because of a commitment to personal freedom, in our economic system and our politics. We are a free people who consented to be governed, not vice versa.''

I would also agree with the aspiration of Justice John Marshall Harlan, who wrote, ''In the view of the Constitution, in the eye of the law, there is in this country no superior, dominant, ruling class of citizens. There is no caste here. Our Constitution is colorblind, and neither knows nor tolerates classes among citizens. In respect of civil rights, all citizens are equal before the law. The humblest is the peer of the most powerful. The law regards man as man and takes no account of his surroundings or of his color when his civil rights as guaranteed by the supreme law of the land are involved.''

Madam Speaker, 1776 was not a year free of bloodshed and hardship. It was anything but. We are now over 22 decades removed from those events, 22 decades which have seen our great country

grow, prosper, suffer, mourn, rejoice, exalt, and contemplate while our lives and the lives around us were changed by technological, political, international, and societal change.

We today honor those who sacrificed on the fields and hills of Lexington, Concord, Breed's Hill, Princeton, Saratoga, and Yorktown. We honor all those who sweated, debated, argued, thought, reasoned, wrote, and ratified the document by which we all do our collective best and our collective business here in Congress, in the White House, in the Supreme Court, and in this great country and society full of families, communities, localities, counties, and States.

So let our twin pillars always guide, always steer, and always stay firm, tall, and strong as we continue to humbly exist as one of the many on this earth, yet one incomparable as to the rest. The Declaration and the Constitution, let us always declare, and let us continue to constitute our experiment in republican self-government in such a way that we pay due deference to those who have come before, and make proud those who will come after.

Happy birthday, United States of America.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BOSWELL (at the request of Mr. HOYER) for July 9 and today.

Mr. CONYERS (at the request of Mr. HOYER) for today after 2 p.m.

Mr. HILL (at the request of Mr. HOYER) for today on account of family emergency.

Mr. FRELINGHUYSEN (at the request of Mr. BOEHNER) for today on account of a family funeral.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. KUCINICH) to revise and extend their remarks and include extraneous material:)

Mr. SKELTON, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mrs. CAPPS, for 5 minutes, today.

(The following Members (at the request of Mr. DUNCAN) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, July 17.

Mr. PAUL, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, July 17.

Mr. KIRK, for 5 minutes, today.

Mrs. MYRICK, for 5 minutes, today.

Mr. DREIER, for 5 minutes, today.

Mr. TIM MURPHY of Pennsylvania, for 5 minutes, today.

Mr. CALVERT, for 5 minutes, July 14, 15 and 16.

Mr. DUNCAN, for 5 minutes, today.

Mr. MCHENRY, for 5 minutes, today, July 14, 15, 16 and 17.

Mr. PRICE of Georgia, for 5 minutes, today.

ENROLLED BILL SIGNED

Ms. Lorraine C. Miller, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 6331. An act to amend titles XVII and XIX of the Social Security Act to extend expiring provisions under the Medicare Program, to improve beneficiary access to preventive and mental health services to enhance low-income benefit programs, and to maintain access to care in rural areas, including pharmacy access, and for other purposes.

ADJOURNMENT

Mr. DANIEL E. LUNGREN of California. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 52 minutes p.m.), under its previous order, the House adjourned until Monday, July 14, 2008, at 12:30 p.m., for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

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

7437. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Major General James R. Helmly, United States Army Reserve, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

7438. A letter from the Acting General Counsel, Department of Defense, transmitting a copy of legislative proposals as part of the National Defense Authorization Bill for Fiscal Year 2009; to the Committee on Armed Services.

7439. A letter from the Under Secretary for Acquisitions, Technology and Logistics, Department of Defense, transmitting the Department's report on the progress toward compliance with destruction of the U.S. stockpile of lethal chemical agents and munitions by the extended Chemical Weapons Convention (CWC) deadline of April 29, 2012 and not later than December 31, 2017, pursuant to Public Law 110-181, section 922; to the Committee on Armed Services.

7440. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting the Department's annual report for FY 2007 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

7441. A letter from the Director, Congressional Affairs, Federal Election Commission, transmitting a copy of the semiannual report on activities of the Inspector General for the period October 1, 2007 through March 31, 2008, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

7442. A letter from the Executive Vice President, Financial Information Group, Federal Home Loan Bank of Chicago, transmitting the 2007 management report and statements on system of internal controls of the Federal Home Loan Bank of Chicago, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

7443. A letter from the Senior Vice President and Chief Accounting Officer, Federal Home Loan Bank of Dallas, transmitting the 2007 management report of the Federal Home Loan Bank of Dallas, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

7444. A letter from the President and Chief Executive Officer, Federal Home Loan Bank of Indianapolis, transmitting the 2007 Statements on System of Internal Controls of the Federal Home Loan Bank of Indianapolis, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

7445. A letter from the Senior Vice President & Chief Financial Officer, Federal Home Loan Bank of New York, transmitting the 2007 management report of the Federal Home Loan Bank of New York, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

7446. A letter from the President and Chief Executive Officer, Federal Home Loan Bank of Pittsburgh, transmitting the 2007 Statements on System of Internal Controls of the Federal Home Loan Bank of Pittsburgh, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

7447. A letter from the President and Chief Executive Officer, Federal Home Loan Bank of Topeka, transmitting the 2007 Statements on System of Internal Controls of the Federal Home Loan Bank of Topeka, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

7448. A letter from the Assistant Secretary, Federal Maritime Commission, transmitting the Commission's report on new proposed systems of records subject to the Privacy Act, pursuant to Office of Management and Budget Circular No. A-130; to the Committee on Oversight and Government Reform.

7449. A letter from the Director, Office of Personnel Management, transmitting the Office's Federal Activities Inventory Reform (FAIR) Act Inventory Summary as of June 30, 2007; to the Committee on Oversight and Government Reform.

7450. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-600, -700, -700C, -800 and -900 Series Airplanes [Docket No. FAA-2007-28355; Directorate Identifier 2007-NM-062-AD; Amendment 39-15495; AD 2008-09-14] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7451. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-100, -200, -300, -400, and -500 Series Airplanes [Docket No. FAA-2007-0046; Directorate Identifier 2007-NM-173-AD; Amendment 39-15496; AD 2008-09-15] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7452. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-300, -400, and -500 Series Airplanes [Docket No. FAA-2007-29043; Directorate Identifier 2007-NM-177-AD; Amendment 39-15494; AD 2008-09-13] (RIN:

2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7453. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 777-200, -300, and -300ER Series Airplanes [Docket No. FAA-2007-28664; Directorate Identifier 2007-NM-007-AD; Amendment 39-15492; AD 2008-09-11] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7454. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Taylorcraft, Inc. Models A, B, and F Series Airplanes [Docket No. FAA-2008-0177; Directorate Identifier 2007-CE-093-AD; Amendment 39-15499; AD 2008-09-18] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7455. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model DHC-8-102, DHC-8-103, DHC-8-106, DHC-8-201, DHC-8-202, DHC-8-301, DHC-8-311, and DHC-8-315 Airplanes [Docket No. FAA-2008-0266; Directorate Identifier 2008-NM-013-AD; Amendment 39-15506; AD 2008-09-25] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7456. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2C10 (Regional Jet Series 700, 701 & 702), CL-600-2D15 (Regional Jet Series 705), and CL-600-2D24 (Regional Jet Series 900) Airplanes [Docket No. FAA-2008-0268; Directorate Identifier 2008-NM-050-AD; Amendment 39-15504; AD 2008-09-23] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7457. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Przedsiebiorstwo Doswiadczalno-Produkcyjne Syzbownictwa ''PZL-Bielsko'' Model SZD-50-3 ''Puchacz'' Gliders [Docket No. FAA-2008-0216; Directorate Identifier 2008-CE-004-AD; Amendment 39-15489; AD 2008-09-08] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7458. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Agusta S.p.A. Model A109A, A109A II, and A109C Helicopters [Docket No. FAA-2008-0431; Directorate Identifier 2008-SW-08-AD; Amendment 39-15483; AD 2008-09-03] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7459. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Air Tractor, Inc. Models AT-300, AT-301, AT-302, AT-400, and AT-400A Airplanes [Docket No. FAA-2008-0476; Directorate Identifier 2008-CE-018-AD; Amendment 39-15491; AD 2008-09-10] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7460. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; DORNIER LUFTFAHRT GmbH Models 228-200, 228-201, 228-202, 228-212 Airplanes [Docket No. FAA-2008-0249; Directorate Identifier 2008-CE-012-AD; Amendment 39-15490; AD 2008-09-09] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7461. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Saab Model SAAB-Fairchild SF340A (SAAB/SF340A) and SAAB 340B Airplanes [Docket No. FAA-2007-29248; Directorate Identifier 2007-NM-155-AD; Amendment 39-15487; AD 2008-09-06] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7462. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 757 Airplanes and Model 767-200, 767-300, and 767-300F Series Airplanes [Docket No. FAA-2008-0411; Directorate Identifier 2008-NM-061-AD; Amendment 39-15488; AD 2008-09-07] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7463. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes [Docket No. FAA-2008-0262; Directorate Identifier 2008-NM-021-AD; Amendment 39-15493; AD 2008-09-12] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7464. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Model EC120B Helicopters [Docket No. FAA-2008-0489; Directorate Identifier 2007-SW-59-AD; Amendment 39-15507; AD 2008-10-01] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7465. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Textron Model 204B, 205A, 205A-1, 205B, 210, 212, 412, 412CF, and 412EP Helicopters [Docket No. FAA-2008-0490; Directorate Identifier 2008-SW-26-AD; Amendment 39-15509; AD 2008-10-03] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7466. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Construcciones Aeronauticas, S.A. (CASA), Model CN-235, CN-235-100, CN-235-200, CN-235-300, and C-295 Airplanes [Docket No. FAA-2007-0048; Directorate Identifier 2007-NM-181-AD; Amendment 39-155503; AD 2008-09-22] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7467. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Model Falcon 2000 Airplanes [Docket No. FAA-2008-0116; Directorate Identifier 2007-NM-257-AD; Amendment 39-15474; AD 2008-08-20] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7468. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Kelly Aerospace Power Systems Turbochargers [Docket No. FAA-2008-0314; Directorate Identifier 2008-NE-09-AD; Amendment 39-15471; AD 2008-08-17] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7469. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 170 Airplanes and Model ERJ 190 Airplanes [Docket No. FAA-2008-0119; Directorate Identifier 2007-NM-304-AD; Amendment 39-15475; AD 2008-08-21] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7470. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-600, -700, -700C, -800, and -900 Series Airplanes. [Docket No. FAA-2007-0049; Directorate Identifier 2007-NM-168-AD; Amendment 39-15478; AD 2008-08-24] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7471. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; DORNIER LUFTFAHRT GmbH Models 228-100, 228-101, 228-200, 228-201, 228-202, and 228-212 Airplanes [Docket No. FAA-2008-0197 Directorate Identifier 2008-CE-005-AD; Amendment 39-15467; AD 2008-08-15] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7472. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-600, -700, -700C, -800, and -900 Series Airplanes [Docket No. FAA-2007-29116; Directorate Identifier 2007-NM-064-AD; Amendment 39-15476; AD 2008-08-22] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7473. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-400 Series Airplanes [Docket No. FAA-2008-0410; Directorate Identifier 2007-NM-362-AD; Amendment 39-15485; AD 2006-12-10 R1] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7474. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca Makila 1A and 1A1 Turboshaft Engines [Docket No. FAA-2007-0157; Directorate Identifier 2001-NE-23-AD; Amendment 39-15469; AD 2008-08-16] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7475. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; MD Helicopters, Inc. Model MD900 Series Helicopters [Docket No. FAA-2006-25983; Directorate Identifier 2006-SW-11-AD; Amendment 39-15463; AD 2008-08-11] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7476. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Thielert Aircraft Engines GmbH (TAE) Model 125-02-99 Engines [Docket No. FAA-2008-0304; Directorate Identifier 2008-NE-08-AD; Amendment 39-15470; AD 2008-06-52] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7477. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Alpha Aviation Design Limited (Type Certificate No. A48EU previously held by APEX Aircraft and AVIONS PIERRE ROBIN) Model R2160 Airplanes [Docket No. FAA-2006-26490; Directorate Identifier 2006-CE-075-AD; Amendment 39-15481; AD 2008-09-01] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7478. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747 Airplanes [Docket No. FAA-2007-29065; Directorate Identifier 2007-NM-142-AD; Amendment 39-15486; AD 2008-09-05] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7479. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; APEX Aircraft Model CAP 10 B Airplanes [Docket No. FAA-2008-0196; Directorate Identifier 2008-CE-002-AD; Amendment 39-15482; AD 2008-09-02] (RIN: RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7480. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-400F and -400 Series Airplanes [Docket No. FAA-2006-26726; Directorate Identifier 2006-NM-205-AD; Amendment 39-15479; AD 2008-08-25] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7481. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-200C Series Airplanes [Docket No. FAA-2007-29029; Directorate Identifier 2007-NM-175-AD; Amendment 39-15477; AD 2008-08-23] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7482. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767 Airplanes [Docket No. FAA-2007-29063; Directorate Identifier 2007-NM-049-AD; Amendment 39-15480; AD 2008-08-26] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7483. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Gulfstream Aerospace LP Model Gulfstream G150 Airplanes [Docket No. FAA-2008-0120; Directorate Identifier 2007-NM-327-AD; Amendment 39-15473; AD 2008-08-19] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7484. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Model F.28 Mark 0070 and Mark 0100 Airplanes [Docket No. FAA-2008-0117; Directorate Identifier 2007-NM-273-AD; Amendment 39-15472; AD 2008-08-18] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. REYES: Permanent Select Committee on Intelligence. Supplemental report on H.R. 5959. A bill to authorize appropriations for fiscal year 2009 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. 110–665 Pt. 2). Ordered to be printed.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 3999. A bill to amend title 23, United States Code, to improve the safety of Federal-aid highway bridges, to strengthen bridge inspection standards and processes, to increase investment in the reconstruction of structurally deficient bridges on the National Highway System, and for other purposes (Rept. 110–750). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of Mississippi: Committee on Homeland Security. H.R. 2490. A bill to require the Secretary of Homeland Security to conduct a pilot program for the mobile biometric identification in the maritime environment of aliens unlawfully attempting to enter the United States; with amendments (Rept. 110–751). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of Mississippi: Committee on Homeland Security. H.R. 6098. A bill to amend the Homeland Security Act of 2002 to improve the financial assistance provided to State, local, and tribal governments for information sharing activities, and for other purposes; with an amendment (Rept. 110–752). Referred to the Committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on the Judiciary. H.R. 5464. A bill to direct the Attorney General to make an annual grant to the A Child Is Missing Alert and Recovery Center to assist law enforcement agencies in the rapid recovery of missing children, and for other purposes (Rept. 110–753). Referred to the Committee of the Whole House on the State of the Union.

Mr. GEORGE MILLER of California: Committee on Education and Labor. H.R. 3036. A bill to amend the Elementary and Secondary Education Act of 1965 regarding environmental education, and for other purposes; with amendments (Rept. 110–754). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BLUMENAUER (for himself and Mr. DOGGETT):

H.R. 6452. A bill to amend the Trade Act of 1974 to identify foreign country trade practices that negatively affect the environment and to take actions to address such practices; to the Committee on Ways and Means.

By Mr. LAMBORN (for himself, Mrs. MUSGRAVE, Mrs. SCHMIDT, Mr. BISHOP of Utah, Mr. LATTA, Mrs. BLACKBURN, Mr. DAVID DAVIS of Tennessee, Ms. FOXX, Mr. GINGREY, Mr. MARCHANT, Mr. KINGSTON, Mr. KING of Iowa, Mr. JORDAN, Mr. BROUN of Georgia, Mr. FEENEY, Mr. SHIMKUS, Mrs. BACHMANN, Mr. DANIEL E. LUNGREN of California, Mr. BARTLETT of Maryland, Mr. SHADEGG, Mr. DOOLITTLE, Mr. GOHMERT, Mr. CONAWAY, Mr. KLINE of Minnesota, Mrs. MCMORRIS RODGERS, Mr. FRANKS of Arizona, Mr. AKIN, Mr. PITTS, Mr. TIAHRT, Mr. PICKERING, Mr. HOEKSTRA, Mr. HENSARLING, Mr. WALBERG, Mr. PENCE, and Mr. RENZI):

H.R. 6453. A bill to amend the General Education Provisions Act to prohibit Federal education funding for elementary or secondary schools that provide access to emergency postcoital contraception; to the Committee on Education and Labor.

By Mr. CANNON:

H.R. 6454. A bill to extend and expand the E-verify program for employment eligibility confirmation, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Education and Labor, Science and Technology, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON-LEE of Texas (for herself and Mr. CULBERSON):

H.R. 6455. A bill to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the establishment of the National Aeronautics and Space Administration; to the Committee on Financial Services.

By Mr. BERMAN (for himself and Ms. ROS-LEHTINEN):

H.R. 6456. A bill to provide for extensions of certain authorities of the Department of State, and for other purposes; to the Committee on Foreign Affairs.

By Mr. FILNER:

H.R. 6457. A bill to amend titles II and XVI of the Social Security Act to provide for equitable treatment of disability beneficiaries with waxing and waning medical conditions by establishing, through the implementation of a sliding scale of benefits based on income, a system under which higher incomes result in lower benefits and lower incomes result in higher benefits, and work is incentivized by allowing greater total monthly income when working than could be provided by work or benefits alone; to the Committee on Ways and Means.

By Ms. SPEIER:

H.R. 6458. A bill to establish a national maximum speed limit of 60 miles per hour on highways, and 65 miles per hour on portions of the National Highway System located outside of an urbanized area; to the Committee on Transportation and Infrastructure.

By Mr. FATTAH (for himself and Mr. SOUDER):

H.R. 6459. A bill to establish an adoption process improvement pilot program; to the Committee on Education and Labor.

By Mr. EHLERS (for himself and Mr. OBERSTAR):

H.R. 6460. A bill to amend the Federal Water Pollution Control Act to provide for the remediation of sediment contamination in areas of concern, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ALTMIRE (for himself, Mr. PLATTS, and Mr. RYAN of Ohio):

H.R. 6461. A bill to assist volunteer fire companies in coping with the precipitous rise in fuel prices; to the Committee on Transportation and Infrastructure.

By Mr. CARDOZA:

H.R. 6462. A bill to require the Bureau of Prisons to provide stab-resistant personal body armor to all correctional officers of the Bureau, and to require such officers to wear such armor while on duty; to the Committee on the Judiciary.

By Mrs. BACHMANN (for herself, Mrs. SCHMIDT, Mrs. MUSGRAVE, Mr.

LAMBORN, Mr. PITTS, Mr. DOOLITTLE, Mr. KINGSTON, Mr. AKIN, Mr. FRANKS of Arizona, Mr. MCHENRY, Mr. SHIMKUS, Mr. BROUN of Georgia, Mr. WESTMORELAND, Mr. LATTA, and Mr. BURTON of Indiana):

H.R. 6463. A bill to terminate or provide for suspension of the application of Federal laws that restrict exploration, development, or production of oil, gas, or oil shale, to facilitate the construction of new crude oil refineries, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRALEY of Iowa (for himself and Mr. LOEBSACK):

H.R. 6464. A bill to make certain amendments to the loan and loan guarantee program under section 502 of the Railroad Revitalization and Regulatory Reform Act of 1976; to the Committee on Transportation and Infrastructure.

By Ms. GINNY BROWN-WAITE of Florida:

H.R. 6465. A bill to amend title 38, United States Code, to extend the demonstration project on adjustable rate mortgages and the demonstration project on hybrid adjustable rate mortgages; to the Committee on Veterans' Affairs.

By Mr. CAZAYOUX (for himself, Mr. MELANCON, Mr. ALEXANDER, and Mr. JEFFERSON):

H.R. 6466. A bill to apply an alternative payment amount under the Medicare Program for certain graduate medical education programs established to train residents displaced by natural disasters; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COSTELLO:

H.R. 6467. A bill to authorize the Secretary of Agriculture to terminate certain easements held by the Secretary on land owned by the Village of Caseyville, Illinois, and to terminate associated contractual arrangements with the Village; to the Committee on Agriculture.

By Mr. CUELLAR:

H.R. 6468. A bill to disqualify any individual who engages in or is convicted of human smuggling from operating a commercial motor vehicle or holding a commercial driver's license and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. DEGETTE (for herself, Mr. COSTA, Mr. CAMP of Michigan, Mr. CLAY, Ms. ROS-LEHTINEN, Mr. BOUCHER, Mrs. MCMORRIS RODGERS, Mr. WU, and Mr. REYES):

H.R. 6469. A bill to amend the Public Health Service Act to authorize increased Federal funding for the Organ Procurement and Transplantation Network; to the Committee on Energy and Commerce.

By Mr. DINGELL:

H.R. 6470. A bill to provide for the designation of certain sites in Monroe County and Wayne County, Michigan, relating to the Battles of the River Raisin during the War of 1812 as a unit of the National Park System; to the Committee on Natural Resources.

By Mr. FILNER:

H.R. 6471. A bill to amend title 38, United States Code, to expand the availability of health care provided by the Secretary of Veterans Affairs by adjusting the income level for certain priority veterans; to the Committee on Veterans' Affairs.

By Mr. FLAKE:

H.R. 6472. A bill to rescind certain earmark projects under SAFETEA-LU for the purpose of eliminating the shortfall in the Highway Trust Fund, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HODES (for himself, Mr. MICHAUD, Mr. ALLEN, Mr. KANJORSKI, Mr. HINCHEY, Mr. LOBIONDO, Mr. MCHUGH, Mr. LANGEVIN, Mr. SESTAK, Mr. DELAHUNT, and Mr. WELCH of Vermont):

H.R. 6473. A bill to amend the Energy Policy and Conservation Act to modify the conditions for the release of products from the Northeast Home Heating Oil Reserve Account, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ZOE LOFGREN of California (for herself and Mr. WAMP):

H.R. 6474. A bill to authorize the Chief Administrative Officer of the House of Representatives to carry out a series of demonstration projects to promote the use of innovative technologies in reducing energy consumption and promoting energy efficiency and cost savings in the House of Representatives; to the Committee on House Administration.

By Ms. ZOE LOFGREN of California (for herself and Mr. DANIEL E. LUNGREN of California):

H.R. 6475. A bill to establish the Daniel Webster Congressional Clerkship Program; to the Committee on House Administration.

By Mr. ROSKAM (for himself, Mrs. BIGGERT, and Mr. MANZULLO):

H.R. 6476. A bill to designate a rail right-of-way as a corridor for inter-suburban commuter rail, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SHERMAN (for himself, Mr. ELLISON, Ms. SCHAKOWSKY, Mr. DAVIS of Illinois, Ms. SUTTON, and Mr. HARE):

H.R. 6477. A bill to repeal a limitation in the Labor-Management Relations Act regarding requirements for labor organization membership as a condition of employment; to the Committee on Education and Labor.

By Ms. SOLIS (for herself, Mr. BURGESS, Mr. GENE GREEN of Texas, Mr. PRICE of Georgia, Mr. ANDREWS, Mr. BACA, Mr. FARR, Mr. GRIJALVA, Mr. HINOJOSA, Mr. KUHL of New York, Mr. SCOTT of Georgia, Ms. SUTTON, Mr. TAYLOR, and Mr. MICHAUD):

H.R. 6478. A bill to improve research, diagnosis, and treatment of musculoskeletal diseases, conditions, and injuries, to conduct a longitudinal study on aging, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK:

H.R. 6479. A bill to provide for the establishment of the San Francisco Bay National Wildlife Refuge Complex; to the Committee on Natural Resources.

By Ms. WATSON (for herself and Mr. BERMAN):

H.R. 6480. A bill to authorize grants for nongovernmental organizations that use independently produced documentary films to promote better understanding of the United States abroad and better understanding of global perspectives and other countries in the United States; to the Committee on Foreign Affairs.

By Mr. ELLISON (for himself, Mr. OBERSTAR, Ms. LEE, Ms. WOOLSEY, Ms. KILPATRICK, Mr. MCGOVERN, Ms. SCHAKOWSKY, Mr. PRICE of North Carolina, Mr. CONYERS, Ms. CLARKE, Mr. FARR, Mr. HINCHEY, Mr. HONDA, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. WATSON, Mr. DEFAZIO, Mr. JACKSON of Illinois, Mr. JOHNSON of Georgia, Mr. HARE, Ms. JACKSON-LEE of Texas, Mr. GUTIERREZ, Mr. CLEAVER, Mr. MCDERMOTT, Mr. ABERCROMBIE, Mr. HODES, and Mr. FATTAH):

H. Res. 1329. A resolution expressing the sense of the House of Representatives that the United States should accept the Iraqi Government's stated goal of setting a timetable for withdrawal of United States Armed Forces from Iraq; to the Committee on Armed Services.

By Mr. SALI (for himself, Mr. FRANKS of Arizona, Mrs. DRAKE, Mr. CHABOT, Mrs. MILLER of Michigan, Mrs. MUSGRAVE, Mrs. BLACKBURN, Mr. MILLER of Florida, Mr. DAVID DAVIS of Tennessee, Mr. WILSON of South Carolina, Mr. BURTON of Indiana, Mrs. CUBIN, Mr. HALL of Texas, Mr. GINGREY, Mr. BARTLETT of Maryland, Mr. BRADY of Texas, Mr. PEARCE, Mr. SCALISE, Mr. SHULER, Mr. BUYER, and Mr. CALVERT):

H. Res. 1330. A resolution commending the recent decision of the Supreme Court of the United States in District of Columbia v. Heller for upholding the right of the individual to keep and bear arms under the second amendment of the Constitution; to the Committee on the Judiciary.

By Mr. SOUDER:

H. Res. 1331. A resolution providing for the consideration of the bill (H.R. 1399) to restore Second Amendment rights in the District of Columbia; to the Committee on Rules.

By Mr. CARDOZA (for himself, Mr. MCDERMOTT, and Mr. FATTAH):

H. Res. 1332. A resolution recognizing the importance of connecting foster youth to the workforce through internship programs, and encouraging employers to increase employment of former foster youth; to the Committee on Education and Labor.

By Mr. ARCURI (for himself, Mr. WELCH of Vermont, Mr. MCGOVERN, Ms. MATSUI, Mr. HASTINGS of Florida, Ms. CASTOR, Ms. SUTTON, Mr. ELLSWORTH, Mr. CARNEY, Mr. MARSHALL, Mr. BERRY, Mr. DONNELLY, Ms. BEAN, Mr. CHANDLER, Mr. MATHESON, Mr. BOREN, Mr. SIRES, Mr. BARRETT of South Carolina, Mr. ISRAEL, Mr. BISHOP of New York, Mr. SPACE, Mr. ROSS, Mr. ALTMIRE, Mr. SHUSTER, Mrs. GILLIBRAND, Mr. WEINER, Ms. SHEA-PORTER, Mr. BRALEY of Iowa, Mr. MURPHY of Connecticut, Mr. SARBANES, Mr. ACKERMAN, Mr. MCNULTY, Mr. KLEIN of Florida, Mr. HODES, Mr. ROTHMAN, Mr. KENNEDY, Mr. RYAN of Ohio, Mr. PATRICK MURPHY of Pennsylvania, Mr. HARE, Ms. DEGETTE, and Mrs. LOWEY):

H. Res. 1333. A resolution supporting the goals and ideals of Tay-Sachs Awareness Month; to the Committee on Energy and Commerce.

By Mr. CHABOT:

H. Res. 1334. A resolution calling upon the Government of China to account for those detained during March 2008 protests and to recognize the fundamental human rights of

all Tibetans, including monks, nuns, and innocent civilians, currently detained by the Government of China; to the Committee on Foreign Affairs.

By Mr. HODES (for himself, Ms. GINNY BROWN-WAITE of Florida, Ms. SHEA-PORTER, Mr. RODRIGUEZ, Mr. COHEN, Mr. BRADY of Pennsylvania, Mr. THOMPSON of California, Mr. ROGERS of Michigan, Mr. FORTUÑO, Mr. LATHAM, Mr. ROGERS of Alabama, Mr. EHLERS, Mr. OLVER, Ms. KAPTUR, Mr. PORTER, Mr. REYES, Mr. WHITFIELD of Kentucky, Mr. DICKS, Mr. KANJORSKI, Mr. MICHAUD, Mr. GERLACH, Mr. CAZAYOUX, Mr. LOBIONDO, and Mr. ETHERIDGE):

H. Res. 1335. A resolution celebrating the 120-year partnership between the Government and State veterans homes; to the Committee on Veterans' Affairs.

By Mr. MCCAUL of Texas (for himself, Mr. GALLEGLY, Mr. BURTON of Indiana, Mr. CANTOR, and Mr. SHUSTER):

H. Res. 1336. A resolution encouraging the United States Secretary of State to work with the Government of Pakistan to secure the return to the United States of all American children being educated in madrassas in Pakistan; to the Committee on Foreign Affairs.

By Mr. SCHIFF (for himself, Mr. CONYERS, Mr. DOOLITTLE, Mr. DREIER, Mr. FATTAH, Ms. TSONGAS, and Mr. HINCHEY):

H. Res. 1337. A resolution condemning the decision by the Government of Zimbabwe to hold the run-off presidential election on June 27, 2008;; to the Committee on Foreign Affairs.

By Mr. SHERMAN (for himself, Mr. PALLONE, and Mr. WELLER):

H. Res. 1338. A resolution calling on the United States Government and the international community to support a transition to sustainable peace in Sri Lanka by encouraging an international human rights monitoring presence, protecting the work of civil society and media, facilitating access of humanitarian operations, and retaining democratic principles in which rule of law and justice pervades; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

332. The SPEAKER presented a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 101 memorializing the Congress of the United States to allow immediate family to visit military personnel on extended deployment overseas who are in rest and relaxation period; to the Committee on Armed Services.

ADDITIONAL SPONSORS

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

H.R. 82: Mr. KLINE of Minnesota.
H.R. 96: Mr. ROTHMAN.
H.R. 154: Mr. MILLER of North Carolina.
H.R. 211: Ms. GRANGER and Mr. HILL.
H.R. 219: Mr. FRANKS of Arizona.
H.R. 303: Mr. MARIO DIAZ-BALART of Florida.
H.R. 627: Mrs. MCCARTHY of New York.
H.R. 676: Mr. CARSON.
H.R. 699: Mr. SMITH of Texas, Mr. HULSHOF, Mr. TANCREDO, Mr. CARTER, Mr. ISSA, Mr. BLUNT, Mr. NUNES, Mr. PRICE of Georgia, and Mr. LATOURETTE.
H.R. 769: Mr. LATTA.
H.R. 882: Mr. SALAZAR.
H.R. 901: Mr. LANGEVIN.
H.R. 1078: Mr. CUMMINGS and Mrs. DRAKE.
H.R. 1185: Mr. HODES and Mr. MEEKS of New York.
H.R. 1293: Mr. BILBRAY.
H.R. 1363: Ms. CORRINE BROWN of Florida.
H.R. 1479: Mr. DEFAZIO.
H.R. 1527: Mr. HARE and Mr. SALAZAR.
H.R. 1540: Mr. MCGOVERN.
H.R. 1621: Mrs. BIGGERT.
H.R. 1655: Mrs. CAPPS.
H.R. 1665: Mr. KENNEDY.
H.R. 1742: Mr. WITTMAN of Virginia and Mr. LATHAM.
H.R. 1767: Mr COSTELLO and Mr. PICKERING.
H.R. 1772: Mr. KAGEN.
H.R. 1810: Mr. PORTER.
H.R. 1881: Mr. DOGGETT.
H.R. 1884: Mr. LANGEVIN, Mr. SPRATT, and Mr. MELANCON.
H.R. 1927: Mr. DELAHUNT.
H.R. 2020: Mr. KUHL of New York and Ms. ESHOO.
H.R. 2064: Mr. BERMAN.
H.R. 2160: Mr. LATHAM.
H.R. 2169: Mr. REICHERT.
H.R. 2205: Mr. SHADEGG and Mr. MARIO DIAZ-BALART of Florida.
H.R. 2214: Ms. ZOE LOFGREN of California.
H.R. 2279: Mr. DEAL of Georgia, Mr. HULSHOF, Mr. ADERHOLT, Mr. TURNER, and Ms. FALLIN.
H.R. 2329: Mr. SMITH of New Jersey, Mr. PATRICK MURPHY of Pennsylvania, and Mr. HARE.
H.R. 2371: Mr. WU.
H.R. 2493: Mr. ADERHOLT, Mr. SMITH of Texas, and Ms. FALLIN.
H.R. 2677: Mr. LANGEVIN.
H.R. 2784: Mr. BARTLETT of Maryland.
H.R. 2802: Mr. HARE and Mr. FOSTER.
H.R. 2923: Mr. SESTAK and Mr. ALTMIRE.
H.R. 2994: Mr. WALSH of New York, Mr. DOGGETT, and Mr. KUHL of New York.
H.R. 3010: Mr. GEORGE MILLER of California.
H.R. 3119: Mr. GILCHREST, Mr. MARKEY, Ms. MOORE of Wisconsin, and Mr. MORAN of Virginia.
H.R. 3177: Mrs. MUSGRAVE.
H.R. 3186: Mr. WU.
H.R. 3232: Mr. MARCHANT, Mr. HASTINGS of Washington, Mr. WAMP, Mr. CRAMER, and Mr. CRENSHAW.
H.R. 3257: Mr. LYNCH.
H.R. 3289: Mr. MEEKS of New York.
H.R. 3334: Mr. KIND.
H.R. 3339: Mr. PATRICK MURPHY of Pennsylvania.
H.R. 3402: Ms. ROYBAL-ALLARD.
H.R. 3406: Mr. LANGEVIN.
H.R. 3485: Ms. SLAUGHTER.
H.R. 3618: Ms. BERKLEY.
H.R. 3622: Mr. MICA.
H.R. 3689: Mr. MARSHALL, Mr. TIERNEY, Mr. BAIRD, Mr. SNYDER, and Mr. SPRATT.
H.R. 3697: Mr. LYNCH.
H.R. 3750: Mr. SMITH of New Jersey.
H.R. 3834: Mr. UDALL of New Mexico.
H.R. 3914: Mr. SHADEGG.
H.R. 3932: Ms. MCCOLLUM of Minnesota.
H.R. 3968: Mr. MARSHALL and Mr. SNYDER.
H.R. 4001: Mr. DAVIS of Kentucky.
H.R. 4007: Mr. ROSKAM.
H.R. 4138: Mr. CUMMINGS, Mr. ARCURI, and Ms. ROYBAL-ALLARD.
H.R. 4158: Ms. MATSUI and Mr. CALVERT.
H.R. 4183: Mr. MICHAUD and Mrs. MALONEY of New York.
H.R. 4188: Mr. ALTMIRE.
H.R. 4202: Mr. KILDEE.
H.R. 4218: Mr. DAVIS of Illinois.
H.R. 4255: Mr. MCINTYRE.
H.R. 4544: Mr. LANGEVIN, Mr. PAYNE, Mr. NADLER, and Ms. MCCOLLUM of Minnesota.
H.R. 4688: Mr. HARE.
H.R. 5129: Mr. SCOTT of Virginia.
H.R. 5235: Mr. KILDEE, Mr. HOLDEN, Mr. ABERCROMBIE, Mr. REYES, Mr. MOORE of Kansas, Mr. PETERSON of Pennsylvania, Mr. TANNER, Mr. STUPAK, Mr. RAHALL, Mr. BACA, Mr. SHULER, Mr. CULBERSON, Mr. TOM DAVIS of Virginia, Mr. DEAL of Georgia, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. GILCHREST, Mr. LOBIONDO, Mrs. MILLER of Michigan, Mr. TIM MURPHY of Pennsylvania, Mrs. MUSGRAVE, Mr. PETRI, Mr. REHBERG, Mr. REICHERT, Mr. SHUSTER, Mr. STEARNS, Mr. SULLIVAN, Mr. THORNBERRY, Mr. WALBERG, Mr. SIMPSON, Mr. REYNOLDS, Mr. AKIN, Mrs. DRAKE, Mr. LEWIS of Kentucky, Mr. YOUNG of Florida, Mr. PRICE of Georgia, Mr. MARCHANT, Mr. ADERHOLT, and Mrs. CUBIN.
H.R. 5265: Ms. BERKLEY, Mr. DOYLE, Mr. BUTTERFIELD, and Mr. SPRATT.
H.R. 5268: Ms. SOLIS, Mr. NEAL of Massachusetts, Mr. PASTOR, and Mr. REYES.
H.R. 5315: Mr. SKELTON.
H.R. 5335: Mr. LINDER.
H.R. 5404: Mr. COURTNEY.
H.R. 5437: Mr. CAZAYOUX.
H.R. 5450: Mr. MARCHANT.
H.R. 5484: Mr. LYNCH.
H.R. 5560: Mr. SESTAK.
H.R. 5603: Mr. GERLACH.
H.R. 5615: Mrs. LOWEY and Ms. GIFFORDS.
H.R. 5629: Mr. HERGER.
H.R. 5635: Mrs. DRAKE.
H.R. 5636: Mr. CONYERS.
H.R. 5639: Mr. TOWNS, Mr. MCGOVERN, and Mr. GORDON.
H.R. 5652: Mr. POE, Mr. KING of Iowa, Mr. TURNER, Mr. FORBES, and Mr. BOOZMAN.
H.R. 5656: Mr. HULSHOF, Mr. BARTLETT of Maryland, and Ms. FALLIN.
H.R. 5672: Mr. HONDA and Mr. GRIJALVA.
H.R. 5684: Mr. DELAHUNT.
H.R. 5756: Mr. HINCHEY.
H.R. 5782: Mr. BOUSTANY.
H.R. 5868: Mr. MICHAUD.
H.R. 5882: Mr. MCCAUL of Texas and Mr. WATT.
H.R. 5892: Mr. HINOJOSA.
H.R. 5921: Mr. MCCAUL of Texas.
H.R. 5924: Ms. ROS-LEHTINEN, Mr. FILNER, and Ms. CASTOR.
H.R. 5949: Mr. KLEIN of Florida, Mr. ROGERS of Kentucky, Mr. SHAYS, and Mr. GOODE.
H.R. 5954: Ms. BERKLEY and Mr. HODES.
H.R. 5989: Mr. COHEN.
H.R. 6039: Mr. MCCAUL of Texas.
H.R. 6057: Mr. FARR, Mrs. LOWEY, and Mr. BERMAN.
H.R. 6083: Mr. COHEN.
H.R. 6126: Mr. WATT.
H.R. 6148: Mr. KUCINICH.
H.R. 6159: Mr. DANIEL E. LUNGREN of California.
H.R. 6180: Mr. CARNAHAN and Mr. KANJORSKI.
H.R. 6185: Mr. PLATTS.
H.R. 6201: Mr. FRANK of Massachusetts.
H.R. 6207: Mr. SAM JOHNSON of Texas.
H.R. 6209: Mr. HARE and Mr. COURTNEY.
H.R. 6210: Mr. HODES.
H.R. 6214: Mr. PAUL.
H.R. 6215: Mr. KENNEDY.
H.R. 6260: Mr. WOLF and Mr. KUHL of New York.
H.R. 6268: Mr. HAYES and Mr. PLATTS.
H.R. 6293: Mr. SARBANES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KENNEDY, and Mr. SPRATT.
H.R. 6294: Mr. LINCOLN DIAZ-BALART of Florida.
H.R. 6321: Mr. FATTAH.
H.R. 6326: Ms. LINDA T. SÁNCHEZ of California, Ms. SCHAKOWSKY, Mr. BISHOP of New York, and Ms. HIRONO.
H.R. 6328: Ms. SCHAKOWSKY.
H.R. 6339: Mrs. DAVIS of California, Ms. ROYBAL-ALLARD, and Mr. KLEIN of Florida.
H.R. 6366: Mr. BOOZMAN.

H.R. 6371: Mr. RODRIGUEZ.
H.R. 6375: Ms. ZOE LOFGREN of California.
H.R. 6381: Mr. DAVIS of Alabama and Mr. LINCOLN DIAZ-BALART of Florida.
H.R. 6394: Mr. BISHOP of New York and Mr. BILBRAY.
H.R. 6407: Mr. WALSH of New York.
H.R. 6418: Mr. SMITH of Texas, Mr. LATTA, and Mr. CHABOT.
H.R. 6420: Mr. BURTON of Indiana, Mr. CANTOR, Mr. HOEKSTRA, Mr. CHABOT, and Mr. KUHL of New York.
H.R. 6427: Mr. MICHAUD.
H.R. 6432: Ms. DEGETTE.
H.R. 6433: Ms. DEGETTE.
H. J. Res. 93: Mr. PENCE, Ms. SCHAKOWSKY, Mr. BURTON of Indiana, Mr. SCHIFF, Mr. WELCH of Vermont, Mr. MORAN of Virginia, and Mr. HINOJOSA.
H. Con. Res. 24: Mr. CONYERS.
H. Con. Res. 33: Ms. SPEIER.
H. Con. Res. 160: Mr. CALVERT.
H. Con. Res. 214: Ms. WOOLSEY, Ms. MOORE of Wisconsin, and Mr. OLVER.
H. Con. Res. 223: Mr. RUPPERSBERGER.
H. Con. Res. 239: Mr. SESTAK.
H. Con. Res. 244: Mr. MILLER of North Carolina.
H. Con. Res. 296: Mr. MCCARTHY of California, Mr. PAYNE, Mr. OBERSTAR, and Mr. PORTER.
H. Con. Res. 333: Mr. COBLE.
H. Con. Res. 341: Mr. COHEN.
H. Con. Res. 342: Mr. TIBERI, Mr. BONNER, Ms. LINDA T. SÁNCHEZ of California, Mr. FRANK of Massachusetts, and Mr. WITTMAN of Virginia.
H. Con. Res. 352: Mr. HALL of Texas, Mr. FATTAH, and Mr. LYNCH.
H. Con. Res. 362: Mr. PATRICK MURPHY of Pennsylvania, Mr. EDWARDS of Texas, Mr. RYAN of Wisconsin, Mr. KINGSTON, Mr. SALI, Mr. CALVERT, and Ms. SPEIER.
H. Con. Res. 382: Mr. BERMAN.
H. Con. Res. 386: Mr. FRANKS of Arizona.
H. Res. 870: Mr. MARKEY, Mr. JEFFERSON, Ms. SCHAKOWSKY, Ms. JACKSON-LEE of Texas, Mr. KENNEDY, and Mr. KUCINICH.
H. Res. 988: Ms. ROYBAL-ALLARD and Mr. ARCURI.
H. Res. 1000: Mr. CARNEY, Mr. MURTHA, Mr. FATTAH, Mr. GERLACH, Mr. HOLDEN, Mr. SHUSTER, Mr. KANJORSKI, Mr. PATRICK MURPHY of Pennsylvania,. Mr. BRADY of Pennsylvania, Ms. SCHWARTZ, Mr. SESTAK, Mr. PETERSON of Pennsylvania, Mr. PLATTS, Mr. PITTS, Mr. ENGLISH of Pennsylvania, Mr. DENT, Mr. BOOZMAN, Mr. MICHAUD, Mr. STUPAK, Ms. CORRINE BROWN of Florida, Mr. LARSON of Connecticut, Mr. PASCRELL, Ms. LINDA T. SÁNCHEZ of California, Mrs. MCCARTHY of New York, Mr. ARCURI, Mr. MURPHY of Connecticut, Mr. LOEBSACK, Mr. BISHOP of Georgia, Mr. MORAN of Virginia, Mr. HONDA, Mr. TAYLOR, Mr. LANGEVIN, Mr. ABERCROMBIE, Mr. NEAL of Massachusetts, Mr. TANNER, Mr. RYAN of Ohio, Mr. LYNCH, Mr. CLYBURN, Mr. WU, Mr. WEINER, and Mr. CROWLEY.
H. Res. 1006: Mr. PASTOR.
H. Res. 1042: Ms. GINNY BROWN-WAITE of Florida, Mr. KELLER, Mr. CONAWAY, Ms. WASSERMAN SCHULTZ, Mr. TANNER, Mr. BERRY, and Mr. SHADEGG.
H. Res. 1078: Mr. FATTAH, Mr. HINCHEY, Ms. KILPATRICK, and Mr. HONDA.
H. Res. 1088: Ms. JACKSON-LEE of Texas, Mr. RAHALL, Ms. WATERS, Mr. HINCHEY, Mr. ACKERMAN, Mr. LAHOOD, Mr. WEINER, Mr. RUPPERSBERGER, Mr. KUCINICH, Mr. PETRI, Mr. CLYBURN, Mr. BUTTERFIELD, Mr. DEFAZIO, Mr. BERMAN, Ms. ZOE LOFGREN of California, Mr. WATT, Mr. COURTNEY, Mr. HARE, Mr. WELCH of Vermont, Mr. HOLT, Mr. HIGGINS, Mr. SCOTT of Virginia, Mr. GRIJALVA, Mr. BLUMENAUER, Mr. CLEAVER, and Mr. MCGOVERN.
H. Res. 1116: Mr. EHLERS.
H. Res. 1169: Ms. MOORE of Wisconsin and Ms. WOOLSEY.
H. Res. 1202: Mr. STUPAK and Mr. HODES.
H. Res. 1210: Ms. HERSETH SANDLIN.
H. Res. 1227: Ms. CORRINE BROWN of Florida.
H. Res. 1246: Mr. MITCHELL.
H. Res. 1254: Mr. JACKSON of Illinois.
H. Res. 1266: Mr. MCCAUL of Texas, Mr. CLAY, Mr. MICHAUD, Mr. HOLDEN, and Mr. TOWNS.
H. Res. 1273: Mr. PETRI.
H. Res. 1287: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SKELTON, Mr. PRICE of Georgia, and Mr. CAZAYOUX.
H. Res. 1302: Mr. MILLER of Florida, Mr. CANNON, and Mr. ROYCE.
H. Res. 1303: Ms. ZOE LOFGREN of California and Mr. PORTER.
H. Res. 1306: Mr. LATTA, Mr. MCHENRY, Mr. SMITH of New Jersey, Mr. GERLACH, Mr. MILLER of Florida, Mr. SAXTON, Mr. HAYES, Mr. TANCREDO, Mr. ROYCE, and Mr. ADERHOLT.
H. Res. 1307: Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. BISHOP of New York, Mr. COSTA, Mr. CROWLEY, Mr. DEFAZIO, Ms. DEGETTE, Mr. EHLERS, Mr. FARR, Mr. GALLEGLY, Ms. GIFFORDS, Mr. GILCHREST, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. HILL, Mr. HINOJOSA, Mr. INSLEE, Ms. JACKSON-LEE of Texas, Mr. KIRK, Mr. MILLER of North Carolina, Mr. RODRIGUEZ, Mr. ROHRABACHER, Ms. Linda T. Sánchez of California, Mr. SHERMAN, Mr. SMITH of Washington, Ms. SOLIS, Mr. TANNER, Mr. TAYLOR, Mr. WU, Mr. PETRI, Mr. BOUSTANY, Ms. BALDWIN, Mr. WHITFIELD of Kentucky, Mr. BOUCHER, Mr. WALDEN of Oregon, Mr. CASTLE, Mr. JONES of North Carolina, Mr. BARTLETT of Maryland, Mr. PLATTS, Mr. CRENSHAW, and Mr. HALL of Texas.
H. Res. 1308: Mr. GALLEGLY.
H. Res. 1311: Ms. MOORE of Wisconsin, Mr. PRICE of North Carolina, Mr. MORAN of Kansas, Mr. KENNEDY, Ms. KILPATRICK, Ms. SOLIS, Mr. CASTLE, Mrs. CAPITO, Ms. ROS-LEHTINEN, Mr. SCOTT of Virginia, Ms. ROYBAL-ALLARD, Ms. ZOE LOFGREN of California, Mr. MCNULTY, Mr. SCOTT of Georgia, Ms. BERKLEY, and Mr. CALVERT.
H. Res. 1316: Mr. KILDEE, Mr. LYNCH, Mr. ABERCROMBIE, Ms. CASTOR, Mr. CROWLEY, Mr. COURTNEY, Mrs. DAVIS of California, Mr. LOEBSACK, Ms. TSONGAS, Mr. UDALL of Colorado, Mr. KIND, Mr. PALLONE, Mr. CAPUANO, Mr. PASCRELL, Mrs. MCCARTHY of New York, Mrs. TAUSCHER, Mr. OLVER, Mr. LARSEN of Washington, Ms. DEGETTE, Mrs. BOYDA of Kansas, Ms. SOLIS, Mr. HODES, Mr. HOLT, and Mr. WELCH of Vermont.
H. Res. 1323: Mr. SIRES, Mr. FLAKE, Ms. BALDWIN, Mrs. CAPPS, Ms. SOLIS, Mrs. BOYDA of Kansas, Ms. BEAN, Ms. DEGETTE, Mr. BRALEY of Iowa, Ms. ESHOO, Ms. ROYBAL-ALLARD, Mr. HILL, Mr. DONNELLY, Mr. SHADEGG, Mr. SPACE, Mr. RENZI, Ms. HIRONO, and Mr. WU.
H. Res. 1324: Mr. POE.
H. Res. 1325: Mr. BROUN of Georgia, Mr. JORDAN, Mr. KING of Iowa, Mr. MARCHANT, Mr. DAVID DAVIS of Tennessee, Mr. HENSARLING, Mr. BRADY of Texas, Mr. BISHOP of Utah, Mrs. SCHMIDT, Mrs. MUSGRAVE, Mr. LAMBORN, Mr. PITTS, Mr. AKIN, Mr. FRANKS of Arizona, Mrs. MCMORRIS RODGERS, Mr. KLINE of Minnesota, Mr. CONAWAY, Mr. GOHMERT, Mr. BARRETT of South Carolina, Mr. BILBRAY, Mr. LUCAS, Mr. DOOLITTLE, Mr. SHADEGG, Mr. BARTLETT of Maryland, Mr. DANIEL E. LUNGREN of California, Mrs. BACHMANN, Mr. LATTA, Mr. SALI, and Mr. GARY G. MILLER of California.
H. Res. 1326: Mr. ELLISON, Mr. HINCHEY, Ms. BALDWIN, Ms. JACKSON-LEE of Texas, Mr. CONYERS, Mr. MCGOVERN, Ms. SCHAKOWSKY, Mr. FILNER, Mr. RUSH, and Mr. STARK.
H. Res. 1327: Mr. BACA, Mr. FARR, Mr. BECERRA, and Ms. SOLIS.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

288. The SPEAKER presented a petition of the Town of Eastham, Massachusetts, relative to a Resolution calling on the Congress of the United States to vote only for funding for a safe and rapid withdrawal of all U.S. troops from Iraq; to the Committee on Armed Services.

289. Also, a petition of the Town of Orleans, Massachusetts, relative to a Resolution calling on the Congress of the United States to vote only for funding for a safe and rapid withdrawal of all U.S. troops from Iraq; to the Committee on Armed Services.

DISCHARGE PETITIONS

Under clause 2 of rule XV, the following discharge petition was filed:

Petition 12. July 9, 2008, by Mr. PETER. J. ROSKAM on H.R. 2208, was signed by the following members: Peter J. Roskam, Michele Bachmann, John R. ''Randy'' Kuhl, Jr., Robert E. Latta, Bill Sali, Lynn A. Westmoreland, John Kline, Jeb Hensarling, John R. Carter, David Davis, Ray LaHood, Jerry Lewis, Joe Wilson, John Abney Culberson, Robin Hayes, Mark E. Souder, Kenny Marchant, Joseph R. Pitts, Howard P. ''Buck'' McKeon, Greg Walden, J. Randy Forbes, Harold Rogers, Charles W. Dent, Michael T. McCaul, Pete Sessions, Tom Cole, Marsha Blackburn, K. Michael Conaway, Bob Goodlatte, Paul C. Broun, Todd Russell Platts, Mario Diaz-Balart, John T. Doolittle, Steve King, Jo Ann Emerson, Jim Jordan, Zach Wamp, Rob Bishop, Candice S. Miller, Kevin Brady, John M. McHugh, Tom Feeney, Randy Neugebauer, Ted Poe, John Shimkus, Steve Scalise, Howard Coble, Patrick T. McHenry, Dave Camp, Adam H. Putnam, Louie Gohmert, Michael K. Simpson, Ron Lewis, Tom Davis, Daniel E. Lungren, Dennis R. Rehberg, Peter Hoekstra, Tim Walberg, Tom Price, Michael R. Turner, Doug Lamborn, Robert B. Aderholt, Bill Shuster, Charles W. Boustany, Jr., Thomas M. Reynolds, Mary Bono Mack, Steve Chabot, Thelma D. Drake, Tom Latham, Mike Rogers (MI), Scott Garrett, Lincoln Diaz-Balart, Joe Knollenberg, Adrian Smith, F. James Sensenbrenner, Jr., Phil Gingrey, W. Todd Akin, Thaddeus G. McCotter, Michael C. Burgess, John Boozman, Trent Franks, Henry E. Brown, Jr., Mike Pence, Rodney Alexander, Todd Tiahrt, Robert J. Wittman, Jim Gerlach, Sam Graves, C. W. Bill Young, John B. Shadegg, Dave Weldon, Edward R. Royce, Ralph M. Hall, Nathan Deal, Marilyn N. Musgrave, Geoff Davis, Phil English, Virginia Foxx, John E. Peterson, Devin Nunes, Eric Cantor, Cathy McMorris Rodgers, Mac Thornberry, Frank D. Lucas, Dean Heller, Sue Wilkins Myrick, Stevan Pearce, Terry Everett, John J. Duncan, Jr., Cliff Stearns, Jeff Miller, Kevin McCarthy, Virgil H. Goode, Jr., Brian P. Bilbray, Judy Biggert, John L. Mica, Connie Mack, Gus M. Bilirakis, Barbara Cubin, Chris Cannon, John Sullivan, J. Gresham Barrett, Jo Bonner, Roy Blunt, Mary Fallin, Jerry Weller, Steven C. LaTourette, and Duncan Hunter.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

[Omitted from the Record of June 26, 2008]

Petition 10, by Mr. KUHL on the bill (H.R. 5656): Louis Gohmert.

[Submitted July 10, 2008]

Petition 3, by Mr. PENCE on House Resolution 694: Robert J. Wittman.

Petition 8, by Mr. WALBERG on the bill (H.R. 3089): Duncan Hunter.

Petition 10, by Mr. KUHL on the bill (H.R. 5656): Ray LaHood, Bob Goodlatte, Steve Scalise, Michael K. Simpson, Michael R. Turner, C. W. Bill Young, Edward R. Royce, Stevan Pearce, Barbara Cubin, Chris Cannon, and John Sullivan.

Petition 11, by Mr. TANCREDO on House Resolution 1240: Stevan Pearce.

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Congressional Record

PROCEEDINGS AND DEBATES OF THE *110th* CONGRESS, SECOND SESSION

Vol. 154 WASHINGTON, THURSDAY, JULY 10, 2008 *No. 113*

Senate

(Legislative day of Wednesday, July 9, 2008)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the Honorable MARK L. PRYOR, a Senator from the State of Arkansas.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by guest Chaplain Rev. Dr. Patricia Bryant Harris from Marshalltown United Methodist Church, Wilmington, DE.

The guest Chaplain offered the following prayer:

Let us pray.

Our most gracious God, You, who are the creator of all humankind, You, who understand all the complexities that we encounter in our everyday lives, You, who understand the challenges faced by the women and the men in this Chamber as they care for Your people throughout this Nation and around the world—God, hear our prayer on this morning.

If it is wisdom that is needed, give the wisdom of Solomon. Where there may be lack of patience, give Senators the ability to tolerate with a heart of compassion. Should there be disagreement, send Your Holy Spirit with an attitude of peace. And, above all things, may the result of all the works within this place free Your people, free many nations from hunger, from grief, from pain.

May all the works of justice and love bring glory to Your Holy Name. This is our prayer in the Name of Jesus Christ. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK L. PRYOR 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 10, 2008.

To the Senate:

Under the provisions of rule 1, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK L. PRYOR, a Senator from the State of Arkansas, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

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

THE GUEST CHAPLAIN

Mr. CARPER. Mr. President, Senator BIDEN and I are delighted to welcome to the Senate today the Rev. Dr. Patricia Bryant Harris, who pastors at a church not far from where Senator BIDEN and I live in northern Delaware.

In her prayer this morning, she called on God to grant us wisdom. It is not infrequently, when our Senators meet with our own Senate Chaplain, Barry Black, that he, too, prays for us for wisdom and encourages us to ask God for wisdom as we deliberate the issues that are before us. As Senator BIDEN and the Presiding Officer know, the issues before us this week have been difficult and we needed all the wisdom we could garner.

I have been privileged to know Reverend Harris for close to two decades. She has had a career that included remarkable accomplishments in the private sector and then, somewhere in the 1990s, she decided she felt a calling from God to enter the ministry. She has done that as a Methodist pastor in our State and a series of assignments—actually an assignment that led her down to Salisbury, MD, and the Delmarva Peninsula, where she oversaw a great number of churches.

As we could tell from her prayer, she is a loving, giving, caring, patient person. She is one who has reminded me, and I think reminds her congregants in her own home church in Marshalltown, that God wants us to do two things—if nothing else, to do two things: To love the Lord thy God with all thy heart, soul, and mind and to love thy neighbor as thyself.

Barry Black, our Chaplain, oftentimes reminds us in the Senate—as Senators we ask how do we use our faith to help inform what we do as Senators, and he always takes us back to that second great commandment, and so does Reverend Harris, that we have an obligation to love our neighbor as ourselves.

She also reminds me and reminds those who worship at her church that we have an obligation to those who are hungry—when they are hungry we have an obligation to feed them; when they are naked we have an obligation to clothe them; when they are thirsty we have an obligation to give them to drink; when they are sick and in prison we have an obligation, regardless of what our faith is, to visit them.

Those are wonderful lessons, not just for the people in her congregations over the years; not just for those who worship in our State but wonderful lessons for us in the Senate.

It is with great pride that Senator BIDEN and I welcome Reverend Harris today to help get us started on the right foot and to do not just the Senate's business, not just the business of our country but the Lord's business as well.

With that having been said, I know Senator BIDEN is here and he wants to comment. I am delighted to welcome Senator Harris—Senator Harris? There was a Senator Harris, there may be another one someday too—I am delighted

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to join him in welcoming Reverend Harris today.

The ACTING PRESIDENT pro tempore. The Senator from Delaware.

Mr. BIDEN. The Rev. Dr. Harris is capable of being a Senator. She has the capability and competence to do any number of jobs I can think of.

I compliment my colleague for inviting the Rev. Dr. Harris to open the Senate this morning. As you could tell by Senator CARPER's reference to Reverend Harris, Senator CARPER is a man of deep faith, as I know the Chair is and as I am. We share different faiths, but we share a common set of values, as almost all the confessional faiths do, not just the Christian faith which we share. I am a Roman Catholic, my friend is a Presbyterian, and Dr. Harris is a Methodist.

The thing about Dr. Harris—and I will not take a lot of the Senate's time—the thing about Dr. Harris that has impressed me from the many years—my Lord, I think it may be more than a couple decades. I have known her a long time. She was an incredibly well-respected figure in my State before she went to the ministry—before. Since then, she has carried on that same path of excellence that she did prior to the ministry. But if I can take a page from my colleague's book in referencing Dr. Harris's opening prayer, she talked about wisdom, which she knows we need in abundance. But she also talked about—she used the word that, if I had to describe her, would be the word I would use. She talked about tolerance. The thing that most impresses me about the Rev. Dr. Harris is her literal—not figurative, not rhetorical—commitment to the notion of tolerance.

She has such an expansive view of human nature. She has such a welcoming—not only faith but personality.

I think if I had a wish, if the Lord came down and sat at my desk and said: JOE, you get one wish. What is the one attribute you would like to pervade this Chamber? Maybe even more than wisdom, it would be tolerance.

Tolerance is not engaging in relativity. Tolerance does not mean we don't have strong beliefs and strong opinions and strong positions on faith. Tolerance is what not only our Christian religion teaches us but Judaism and Islam and Hinduism. It is about tolerance. It seems to me that is the single most lacking element in American society today.

I think if you get to know her—you are not going to get to know her, I realize that is a bit of an exaggeration—I hope you get a chance to engage Rev. Dr. Harris today. She exudes the notion of tolerance which equates with her notion of equality. It gets to what—I will conclude—my friend TOM said, the two great commandments: love thy God and love thy neighbor. This is all about loving thy neighbor. We are the single most heterogenous democracy in the history of mankind. It is unable to function—I look at the pages wondering: What is this old guy saying? This country is unable to function without the lubricant of tolerance. And Dr. Harris embodies that.

I am honored to be here this morning with her. I, again, compliment my colleague on not only his comments but inviting Dr. Harris to be here and introducing her to all of you and to those who are watching C–SPAN this morning, watching her.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following the remarks of Senator MCCONNELL and myself, there will be an hour for debate prior to a cloture vote on the motion to disagree in the House amendments with respect to H.R. 3221, the housing reform legislation. Senators should expect a cloture vote to begin sometime around an hour from now.

Last night we reached an agreement to consider the nomination of General Petreaus and Lieutenant General Odierno at a time to be determined by me and the Republican leader. We will set a time to do those votes. There will be 20 minutes of debate, equally divided and controlled between the chairman and ranking member of the Armed Services Committee, prior to votes on their confirmations.

Finally, last night we were unable to get consent to move to global AIDS legislation, and therefore it necessitated my filing cloture on the motion to proceed to the bill. I am hopeful we can reach some kind of agreement on a way to proceed.

I had a conversation on the floor with Senator KYL, a public conversation on the floor. He is hopeful and confident something can be worked out. I hope that, in fact, is the case. As I have indicated, this is one of President Bush's pieces of legislation that he is pushing. We, on this side, are ready to move forward on it. We would like to be on something that is agreed upon between Senators LUGAR and BIDEN and other people who have some interest in this matter. I hope that can be done; otherwise, we are going to have a cloture vote on that tomorrow.

I hope we can work something out. If not, I hope we would be allowed to proceed to this legislation. As I have indicated to the Republican leader, if cloture is not invoked on the motion to proceed, then that will be the end of that legislation for this work period. If necessary, we will have to come back to it in the next work period. But with time constraints we have this work period, this is our opportunity to complete that legislation.

I have been told that S. 3236 is at the desk and is due for a second reading.

It obviously is not ready yet.

The ACTING PRESIDENT pro tempore. The matter will be read on the next legislative day.

Mr. REID. I am sorry about that, Mr. President.

We are going to vote in a short time on cloture, a final cloture vote on this housing bill. It is so important we get this done as quickly as possible. I am disappointed in that Senator SHELBY and Senator DODD, who worked very hard, had a little tight managers' package that would have made it so much better to take to the House, but I have been told Senator DEMINT is objecting to that. As we know, in the Senate, one person can hold up things, and it is my understanding he is going to hold up things.

The reason it is important we do this and move forward on this legislation, Mr. President, is that in the news today, the Associated Press reports that the number of homeowners stung by the rout in the U.S. housing market jumped as foreclosure filings grew by more than 50 percent compared to June a year ago.

Nationwide, 252,363 homes received foreclosure notices in June. That is 1 month. Foreclosure filings increased a year ago in all but 11 States; in 39 States they went up.

The highest foreclosure rates: California, Arizona, Florida, Michigan, Nevada. This is a very desperate situation we find. It is more than the people whose homes are being foreclosed upon; it affects neighborhoods where the homes are being foreclosed upon; it affects communities where the homes are being foreclosed upon. It affects, of course, the lenders who do not want to foreclose upon the homes. It is a loss for them when they do that. It is a loss for the community where the home is located because they lose revenues, tax revenues for that home.

So foreclosure is a lose-lose situation. I hope everyone would understand the importance of it. I hope Senator DEMINT would reconsider holding up this managers' package which has been worked on for more than 2 months now by Senators DODD and SHELBY and other Senators.

But we are going to send it back to the House today, I hope today. I also hope that Senators would not require the 30 hours to be used. But we will see. They have that right, to use at least part of that 30 hours postcloture.

I am glad we are moving along. I hope we can complete our work today. If not, we will complete it tomorrow for this week.

RECOGNITION OF THE MINORITY LEADER

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

GAS PRICE REDUCTION ACT

Mr. MCCONNELL. Mr. President, the Senate came back into session 4 days ago and we have yet to address the No. 1 issue in the country; that is, high gas prices. There were 44 Senate Republicans who introduced legislation over 2 weeks ago which would have an immediate impact on the price at the pump.

The Gas Price Reduction Act can be summed up in four simple words: Find more, use less. The Gas Price Reduction Act focuses on simple solutions which already have support from many of our friends on the other side of the aisle.

Many of our colleagues, Democratic colleagues, have now acknowledged the merits of allowing States to open the Outer Continental Shelf for deep sea oil and gas exploration. Our bill was limited to only those States that want to do that. It gives a State option for the opportunity to go onto the Outer Continental Shelf for deep sea oil and gas exploration. We all agree we can do more in encouraging the development of alternative energy sources, which is why the Gas Price Reduction Act contains incentives to develop plug-in electric cars and trucks and new battery technology.

In addition, we included measures to strengthen the U.S. futures markets by increasing funding and staff for the Commodity Futures Trading Commission and examining foreign markets. These ideas also have support from many on the other side of the aisle.

By focusing on the areas where we agree, instead of the ones where we differ, we can achieve results for the American people. I ask my good friends on the other side of the aisle to join us in finding energy policies we can agree on. Believe me, the American people are demanding it. We can pass meaningful legislation which would develop more American energy while encouraging conservation, and we need to do that very soon.

NOMINATIONS OF GENERAL PETRAEUS AND GENERAL ODIERNO

Mr. MCCONNELL. Mr. President, we also have an opportunity today to confirm the nominations of two of our Nation's leading generals. Secretary Gates and Admiral Mullen have both, rightly, talked about the challenges facing the Nation as we transition from one Presidential administration to the next during a time of war. The next President will be fortunate to have General Petraeus and General Odierno responsible respectively for central command area of operations in Iraq.

It is the nature of world events that the next President will be confronted with some international emergency that could not have been anticipated. What we know is that our strategic interests in the Middle East and Persian Gulf are longstanding and are being challenged. We know that the threat of an Iran regime bent on securing a nuclear weapon will not end when a new President is sworn in next year.

We know that despite the real progress made as a result of the surge of forces into Iraq, that the transition of forces, responsibilities, and missions must be managed with a steady hand.

Both of these fine officers are well prepared for their next responsibilities. As a nation we are lucky to be able to call upon such men at this critical point in American history.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

ENERGY

Mr. REID. Mr. President, my distinguished colleague is right, gas prices are a tremendous issue. We in Nevada feel it very deeply. The average price of gasoline is now $4.11 or $4.12 a gallon. In Nevada it is much higher than that.

We have to do something, there is no question, with domestic production. Right now, we have, counting ANWR—and the Republicans thankfully have stopped raising that as an issue; they do not want to drill in ANWR; that is good. But even counting ANWR, and all of the offshore, we have less than 3 percent of the oil in the world. So we cannot produce our way out of the problems we have, because we in America use more than 25 percent of every barrel of oil that is used every day. We use more than 25 percent of it. But we can do better with our domestic production, and we need to do that.

The Republican bill that has been introduced does not have a single line in it that deals with renewables. But I accept the invitation of the Republican leader and I hope he accepts our invitation. Let's work together to try to get something done as it relates to domestic production.

In the other areas, as we know, there are 68 million acres available for drilling right now, 68 million acres. How much is 68 million acres? Look at a map of the United States. Look at the State of Nevada. If you discount Alaska, we are the sixth largest State in the Union. We make up about 68 million acres. From the southern tip of Nevada to the top is more than 700 miles; across the top of the State of Nevada is more than 400 miles; a lot of space. That is how much area is left available to drill right now. We ask and invite the oil companies to start drilling, find out where in the 68 million acres there is oil. We know there is oil. I also invite the oil companies to look at the 8 million acres in the Gulf of Mexico that we legislatively, less than 2 years ago, allowed them to explore and drill.

We know we need to do a better job producing domestically. We are going to do our very best to do that. But we hope there would also be an agreement that any oil that is drilled and produced in the waters off the coast of America be used in America. That is important. And we have had test votes in that regard.

When there was a question about whether there would be drilling in ANWR, we asked that oil—and I believe the amendment was offered by Senator WYDEN, an amendment that said: Okay, we can drill oil out of ANWR. You must use that oil in the United States. All but 16 Senators said: That is absolutely right.

One of the 16 Senators who said no was JOHN MCCAIN. I hope JOHN MCCAIN would join us in saying that the oil we get offshore should be used in the United States. In the past, obviously, he has disagreed with that. I do not think it is fair that we drill in the territorial waters of our country and then ship that oil overseas.

We also have to deal with speculation. The Republican leader mentioned that their bill talks about adding staff to the CFTC, the entity that controls some of the trading that takes place with oil. We also agree there should be something done. I am having a meeting today, and we are going to make a decision as to what that legislation should be. So we share that with our Republican friends and hopefully they will join us in that regard.

One thing that is not in the Republican legislation that we think is so vitally important to use at this time, as did this President's father when he was President, is the Strategic Petroleum Reserve we have in America, which is 97 or 98 percent filled. Why did we fill it? For emergencies. I think for emergencies such as this, as was done with his father. Once you start tapping that, the price of gasoline goes down very quickly so we would hope there would be efforts made by this administration to start taking oil out of the reserve. I think there is room for us to work together; that is, Democrats and Republicans to try to meet the expectations of the American people.

RESERVATION OF LEADER TIME

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

AMERICAN HOUSING RESCUE AND FORECLOSURE PREVENTION ACT OF 2008

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

The legislative clerk read as follows:

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

Pending:

Reid amendment No. 5067 (to the motion to concur in the amendment of the House adding a new title to the amendment of the Senate), to change the enactment date.

Reid amendment No. 5068 (to amendment No. 5067), of a perfecting nature.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 1 hour of debate equally divided and controlled between the two leaders or their designees, with Senators permitted to speak for up to 10 minutes each, and with the Senator from Connecticut, Mr. DODD, controlling the final 10 minutes.

The Senator from Wyoming.

ENERGY

Mr. ENZI. I will be using some of the first of the Republican minutes. I thank the leader for his comments on energy. I too think we can get together and solve a huge problem for this country.

I do want to make a clarification on the Republican bill that was put up. I do not want anybody to think that was comprehensive. The leader mentioned some things that were left out. I have got a number of matters that were left out of that bill that should be in there, except what we have a tendency to do in this body is to lump everything into one big bill. If a few people do not like this part and a few people do not like that part, then pretty quickly we cannot get a majority. So we need to do things in a smaller way. This will make a huge difference in the price of gasoline. The Republican bill would make a huge difference in the price of gasoline. But it is a package that we thought everyone could come together on. And somehow we are going to have to do that in this body if the United States is going to progress.

We can bring down the gas price Goliath if Democrats and Republicans will work together to pass legislation that will help America find more oil as we use less. Actually we have to do both. If we increase the supply and we cut demand, we will beat this giant problem. If we use less and we find more, we will beat this giant problem.

I had the privilege of traveling around Wyoming last week during the July 4 home work period. There is no question that gas prices are the No. 1 topic on everyone's mind. In Wyoming the rising price of gasoline and diesel fuel hits us hard, because our cities and towns are spread out and we are often forced to drive tens if not hundreds of miles to get groceries and to go to work. I am personally as concerned as are my constituents with the rising price of gasoline. I get angry when I fill up my vehicle and I am charged more than $4 a gallon for gas. I am skeptical when I hear the oil industry is making record profits and CEOs are taking home huge pay packages.

Well, what can we do about that? Increasing taxes will not produce any more oil. It would raise the price of gas further, and probably drive production off our shores, so we would be paying for oil from other places.

We do have a plan that would reduce gas prices. I have cosponsored S. 3032, the aptly named Gas Price Reduction Act of 2008. It recognizes that the biggest problem we face is the problem of supply and demand.

Right now America does not produce enough energy to meet our Nation's energy needs, but with increased efforts and innovation we could. We need to produce more domestic energy while we use less in the future. We need more American oil from American soil.

By developing more American energy as we work to conserve our usage, we will secure America's energy future. In order to do that, though, we have to have agreement from the other side of the aisle that we do want to develop more energy sources. We do not have that agreement yet. I do not know how much longer those on the other side of the issue can hold out against their constituents who are hurting from the higher gas prices, but I hope it is not long. We need to get something done now.

The bill I am cosponsoring is not perfect. It does not include everything I would like it to include. But it is a start. That is what we need, a start. We need to start doing something now to improve our Nation's energy situation. We need to stop playing ''gotcha'' politics and start coming together to start finding solutions. Congress should be addressing high energy prices by looking for solutions that produce more American energy while we reduce our usage. That is what those in control of both Houses of Congress do not seem to understand at this stage.

The continued rise of gas prices is going to put an end to the dog-and-pony show eventually, and when the dog-and-pony shows ends, and we stop playing ''gotcha'' politics, we need to start to take a look at our Nation's energy policy.

We need to come together to increase our energy supply. We need to look at the energy situation in steps. Instead of trying to pass massive bills that have provisions a number of Members can't support, we should work on passing smaller, consensus bills. We need to put partisan differences aside to figure out what we can do to improve our energy situation. How do we lower gas prices? We find more, as we use less. We increase our oil supply, as we each seek to cut back the amount of gas we use. Increasing supply by getting more American oil from American soil while at the same time conserving will lessen our demand and bring prices down. We have choices to make. Do we meet this challenge head-on by finding more oil, using less, putting our back and our brains into the task of developing better ways to use what we have, or do we do what many would have us do and say it is too late or that it is the oil companies' fault or they blame the Government and look to lawyers to solve our problems?

I have listened to my colleagues criticize the speculators who are, in theory, driving up oil prices. As the Wall Street Journal pointed out, Congress always needs a political villain and speculators always end up tied to the whipping post when people get upset about prices. We have an energy problem, but instead of looking at what we can do to fix the problem, we continue to play the blame game. My colleagues don't mention that the so-called speculators are often pension funds or airlines that want to stay in business and stabilize future fuel prices. My colleagues often fail to mention that for every person who is making money in the futures market, there is a person losing money.

Major oil consumers need some certainty in this volatile market so they use the futures market to hedge their bets. They can't get certainty from Congress that we will produce more energy, so they need to find it somewhere.

I am cosponsoring the Gas Price Reduction Act. I am cosponsoring clean coal measures. I am advocating American oil production and refining. I am also pushing to renew important tax credits for wind and solar power so that we can use more renewable energy. I am not ready to let the greatest Nation on Earth sink into poverty because we were not willing to help ourselves.

I am also counting on the innovation of the American people. Americans are the most innovative people in the world. If they face a challenge, they will come up with solutions. I was part of the rocket generation. Sputnik went up when I was in junior high. Our generation figured out how to get a man on the Moon. We had the computer generation, and we have led the computer world. Then cell phones were the next generation. Now we need the energy generation. We need the kids to invent clean ways, better uses, and more production. It can be done in a good way.

We are in the situation we face today because we haven't acted for years. We did not get in the situation overnight, and we won't get out of it overnight. What we can do is work to make the situation better. I am committed to working with colleagues to do just that. Let's stop playing the blame game and start working together to get things done. Moving forward with the Gas Price Reduction Act or, if not that specific bill, then parts of it, is what we have to do to bring prices down. If we don't move now, we may not be able to afford the gas so we can move into the future.

I yield the floor and reserve the remainder of our time.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank my colleague for talking about the energy situation and the price of gasoline. I have traveled my State hard. I know Senator ENZI knows his State like the back of his hand. He goes to every place in it repeatedly and talks to average people. They are hurting.

Look at the numbers. In 1 year, over the last year, the average family drives 24,000 miles a year. The average family

is paying $105 a month more for gasoline for their automobiles than the previous year. You go back over, since 2003, it is $217. That is a new expense they never had before, and 60 percent of that money is sent abroad to purchase oil that we utilize because 60 percent of our fuel comes from abroad. It totals $500 to $700 billion in a wealth transfer each year now. It is unbelievable. T. Boone Pickens said it is the greatest wealth transfer in the history of the world and it is adversely affecting our economy, not just the fact that the family has less money now to take care of other needs. It has to go to gasoline so people can commute to work, in large part, I would submit, by the failure of this Congress to act.

I have been speaking on these issues ever since I came here. I have been pointing out the need for increased production consistently. We produce off my coast in Alabama substantial amounts, but 85 percent of our offshore production is now blocked.

We need to do this. We are talking about $105 more a month out of the family budget, so they can't purchase items with this money. It is rippling through the economy. It is not a ripple; it really is a tsunami.

Let me point out some of the things in recent magazines and recent newspaper articles. Here from the New York Times yesterday:

High fuel costs lead AirTran to cut 480 jobs. AirTran announced it would eliminate 480 pilot and flight attendants' jobs, joining a growing list of airlines that have cut their workforces in the face of high fuel prices.

The cost of jet fuel has risen 92 percent this year, which is almost double in 1 year.

Here is the New York Times of July 8:

Markets decline even as oil pulls back a little bit.

The price dropped just a little.

Wall Street, which has been hurtling stocks lower for the past few weeks, remains fearful that consumers are trimming their spending to pay for gasoline. With consumer spending accounting for more than two-thirds of [U.S.] economic activity, a pullback would create big ripples.

Boy, I tell you, they are reducing spending; $105 less a month they have now to spend on other items because they are having to spend on it gasoline.

Here is the Wall Street Journal the day before yesterday:

Stock Drop Spooks Currency Investors: Oil Prices Still Key.

. . . Janet Yellen [Federal Reserve Bank member], who made surprisingly worrisome comments about inflation.

''The continuing rise in oil and commodities has certainly raised the inflation risk.''

It is just every day. Does anybody not understand this? I have to tell you, I have to say, and I have spoken about this several times, I am utterly disappointed in my Democratic colleagues for having no plan whatsoever to deal with this problem. It is just not a plan. I am willing to discuss how we can work together. I am not wedded to every single issue, I would say. I am willing to consider anything that will work. But I will tell you that the Democratic leader made a speech down here, and they offered a policy that proposes these things:

Tax the oil companies; that would make us feel better. It might even be a good policy to raise revenue, perhaps. But it is not going to increase oil production to tax the people who do it. When you tax something, you get less of it. People cannot pass a law to repeal the law of supply and demand. You tax it, you will get less of it.

No. 2, they want to prosecute, pass a law to empower the FTC to prosecute stations for price gouging. We already have a law that allows the FTC to do that. They say the gas stations are not prosecuting. They want to go prosecuting after speculators. Speculators are able to operate and be successful. I don't defend them. They are out to make a buck any way they can. They are able to do that because we have a demand for oil that is greater than supply. I think it is 86 million barrels of oil demand a day at this point and 85 supply. So they are able to maneuver in that thing and play this game and make themselves some extra money. But if we got the supply up and our demand down, they wouldn't be able to do this. They couldn't do it when we had $10-a-barrel oil a decade or so ago.

They want to sue OPEC. OPEC, what do they do? OPEC meets to decide the amount of oil they want to produce essentially, and that creates the shortages that are driving up the price. Eighty percent-plus of the oil in the world today is not held by oil companies. It is held by nation states, many of them hostile to the United States. OPEC meets to set the price by controlling the supply. They are reducing and not producing the oil that they could if this was a real free market. They are manipulating the market. OPEC meets to decide how much they are going to tax the consumers of the world and, in particular, how much they are going to tax us.

I have to tell you, it is a dramatic thing that is happening. I am told that it costs less than $10 a barrel to produce oil from the sands of Saudi Arabia. Yet they are selling it for $140 a barrel. This is the kind of wealth transfer that is damaging our economy. It is hurting this Nation. It is something we have to confront with real policies that will work, and there are some.

I happened to catch Jack Welch, former CEO of GE, on one of the morning talk shows not long ago. They were dealing with this question of Senator OBAMA and many of our colleagues here who say: Don't drill in Alaska; it might take 10 years. It wouldn't take quite that long, but they say 10 years. You shouldn't drill off the coast; that will take 10 years. Really, drilling off the coast, you begin to get production. They drill off my coast in Alabama right now, but there are other areas with lots of reserves. It would take 3 years, 5 years to get production.

This is what Mr. Welch said. He said: It is amazing to me that a person who aspires to be the President of the United States would say he is not going to take a policy today that won't have an impact for 5 years. Think about it. He went on to say: A President should be thinking 5, 15, 30 years down the road. We need to be doing the things that serve our long-term national interest. Just because it would take some time to have this go forward, we should not delay taking action.

The matter is pretty serious. A Wall Street Journal article by Gerald Seib, executive editor, notes that there are three problems with the high prices of oil. One is that, of course, it impacts the family budget. The second is that the high prices weaken our Nation's economic independence because we owe so much money for it. Thirdly, the money is enriching countries, many of which are hostile to the United States.

So I think we are at a point in time when we need to get together, Republicans and Democrats, and recognize that we face a problem that challenges our family budgets, that we have, in effect, taxed the American people, or allowed them to be taxed, by over $100 more a month in 1 year alone, that we can make a difference and bring those prices down—certainly stop the continuing increase. But we have to do something. There are things we can do.

I will say, as a person who has been able, a few times, to go fishing on the gulf coast, we go out and fish under oil rigs because that is a good place to fish, and it is clean and there is no oil out on the water. They are very careful about that.

We have approximately 51 billion barrels or more of recoverable reserves in the Gulf of Mexico. That is a lot. We use, as a nation, 5 billion barrels a year, and 3 billion of that is imported. If you replaced that 3 billion, that would be 17 years right there just from offshore production in the Gulf of Mexico. We have 85 percent of our reserves still blocked. We have had production that is still being effective off the coast of California before that was blocked. None has been expanded since, in decades, and none, really, off the Atlantic coast. But there are reserves out there. States such as Virginia are talking about maybe that would be a good way to produce additional oil and serve the national interest.

We have the opportunity to produce oil from shale. There are 1.8 trillion barrels of oil in shale rock. Perhaps 800 billion of that is recoverable, experts tell us. We are using 5 billion a year, so that is 100 years or more from shale rock. I am told they can produce that at less than the current world price, keeping wealth at home, producing our energy at home, not sending that abroad.

I will tell you, one of the greatest potential breakthroughs that could help us with global warming emissions and

other areas is hybrid automobiles, particularly a plug-in hybrid. I strongly believe we should—my time is up.

Mr. President, I ask unanimous consent to have 1 additional moment.

The ACTING PRESIDENT pro tempore. Is there objection to 1 additional minute?

Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I will conclude by saying that nuclear power produces no emissions into the air. We need to expand it. We are at 20 percent now in our Nation. We have not built a plant in 30 years. France has 80 percent. We could plug in our cars at night, charge those batteries with clean nuclear electricity, and run back and forth to work. That is within our grasp right now.

Those are the kinds of things we need to be talking about: expanding wind, expanding biofuels, expanding the production of our existing resources, keeping American wealth at home, ending this incredible transfer of wealth.

I thank the Chair and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mr. CORNYN. Thank you, Mr. President.

UNIFINSHED BUSINESS

Mr. President, I, too, want to talk about high gasoline prices, but I want to talk about other unfinished business this Senate has not taken care of. Fortunately, we do have one positive development; that is, yesterday we passed the Foreign Intelligence Surveillance Act—after 145 days had lapsed. So that is a good thing. But we have unfinished work to do.

For example, the Colombian Free Trade Agreement—it has been 597 days that our American farmers and manufacturers have been disadvantaged by tariffs on goods sold here in America. For my State of Texas, there is $2.3 billion a year that is charged in tariffs for our exports when they are imported into Colombia, when Colombian goods bear no similar tariff when their goods are imported into the United States.

Then there is the matter of judicial nominees waiting for a vote—some as long as 742 days.

Then, finally, on the matter of gasoline prices, it was about 808 days ago when Speaker PELOSI said that if she and other Democrats were put in charge, they would come up with a commonsense plan for bringing down the price of gasoline at the pump. Well, that was when gasoline was about $2.33 a gallon. Now gasoline averages $4.10 a gallon, and we are still waiting for that commonsense plan to bring down the price of gasoline at the pump.

Increasingly, Americans are squeezed by the high cost of gasoline. Of course, it is driving up everything from food prices to competing with people's ability to pay for their housing, their health care, transportation, and, obviously, the tax bite, where State and local and Federal taxes take up a huge amount. About 111 days of income is used just to pay for that tax burden.

But what we need to do, I firmly believe, is to find more domestic energy as we use less. What do I mean by that? By using less, we need to conserve, we need to be more efficient. America consumes about 20 percent of the world's oil supply, and unfortunately, about 60 percent of that we import from foreign sources. We are literally held hostage by groups such as OPEC, the Organization of Petroleum Exporting Countries, countries such as Venezuela and Hugo Chavez and others that are charging us about $140 a barrel for oil. Of course, that oil is used to make gasoline at refineries.

But my constituents in Texas are very worried about the failure of Congress to act by removing the impediments or the moratoria on developing what is about 85 percent of our natural resources here at home. That is what I mean by finding more while we use less.

For example, Debra, from Lovelady, TX—a town of roughly 600 people, just a ''Texas mile'' north of Houston—recently wrote me this letter. She said:

I am a school teacher in a small rural East Texas school, so my income is very limited. I drive almost 30 miles one way to work each day as do many of my family and neighbors. We have chosen to stay in small towns for the ''everyone is family'' feeling they still give, but it makes it harder to live with the cost of everything rising.

She said:

The rising price of gasoline is limiting everything I do. I will not make a trip to town unless it is for my monthly shopping needs or to go to church. There will be no summer trips for me this year as I do not see a way to afford driving anywhere.

She concludes:

I know there are vast resources America could tap into. . . . Please look into exploring the energy resources we already have in America.

Well, I believe Debra speaks for a lot of people in this country now as they see their prices go up, as it is driving commodity prices up, such as food costs. They are finding it harder and harder to make it, even if they do have a job, even if they have an income.

I believe it is past time for Congress to respond by removing the impediments to domestic production. That is why I cosponsored the Gas Price Reduction Act of 2008. That act can be summed up, as this chart says: Find more and use less. It opens up offshore and shale oil deposits for exploration so America's energy producers can gain access to Federal lands. This also will create jobs right here in America, which is something I would think we would want to do. In a time when we are talking about economic stimulus, about concern for the economy, don't we want to create more jobs here in America rather than having those jobs created in places such as Saudi Arabia or Mexico or Canada or Venezuela?

At the same time, this bill increases research and development initiatives and for battery-operated plug-in hybrid technology. I think it is hard for many of my constituents in Texas, with the long distances they have to drive, to imagine a day when they will be driving a battery-operated hybrid car, but I do predict the day is coming, and companies such as General Motors and other car manufacturers, in 2010, will begin selling these plug-in hybrid cars that you can literally plug into a wall socket at night and recharge the battery and then drive about 40 miles on that battery before you have to get a generator to recharge the battery to provide you additional range. This is in our future. Right now we have about 240 million cars on the road, and the average age of those cars is about 9 years. So obviously it is going to take a long time—about a decade—before we can transition from the kinds of gas guzzlers and cars that we drive now to something that provides an additional alternative.

I think we are beginning to see some cracks in the intransigence of many in Congress to preventing additional domestic production. I know there are a number of Senators, a fabled group called the Group of 10, the Gang of 10—5 Republicans, 5 Democrats—who are meeting to try to come up with a bipartisan alternative. I applaud that effort. It is really important because, as we all know, nothing happens around here unless it is on a bipartisan basis. I think it is very important, as I saw the Democratic whip say that he was not opposed to more exploration and production.

I would invite those who are worried about exploration and production here in America to fly into DFW Airport where you can see gas wells being drilled into the Barnett shale right there from your airplane as you land or as you take off. It is being done using modern drilling technology which is compatible with the safety and security of the neighbors as well as a good environment.

We need to act in a bipartisan fashion on real energy solutions—a combination of conservation and energy production. It will be good for America's economy and our energy policy, as well as our national security. Find more, use less.

The ACTING PRESIDENT pro tempore. The minority time has expired.

The Senator from Wisconsin.

(The remarks of Mr. FEINGOLD pertaining to the introduction of S. 3237 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Ms. CANTWELL. Mr. President, today, I rise to express my support for the Housing and Economic Recovery Act.

The housing crisis in America has reached critical proportions. In Auburn, WA, Michelle was a single mom with an income that made it very difficult to find an apartment she could afford. Like so many people, she searched desperately to find a roof to put over her children's heads. The search is not easy. The search is not fair. But for the hundreds of thousands

of Americans that need affordable housing today, the search is a reality.

The number of renter households jumped by nearly 1 million last year, according to a Harvard University Joint Center for Housing Studies Report. And monthly rents are reaching record highs. Last year, they climbed to an all time sky high of $775.

We are faced with a fundamental supply and demand problem: a ballooning renter population and a diminishing supply of affordable housing.

This is a problem that requires a real solution. And today, I am proud to say that we have taken action to put people like Michelle in the homes they so desperately need and deserve.

This action did not come without the hard work of many people. I especially want to commend Finance Committee Chairman BAUCUS, Senator GRASSLEY, and their staffs. Because of their hard work, we have included in this comprehensive housing and economic recovery package a set of provisions that encourage the development of affordable rental housing by expanding and improving the low-income housing tax credit. I also want to recognize the tremendous leadership of House Ways and Means Committee Chairman RANGEL, who has long been an advocate for affordable housing and a champion of the tax credit program.

Because of current conditions in the financial markets, the development of many affordable housing options has come to a screeching halt. And for the hundreds of thousands of homeowners that must now turn to rental housing, the homes they could afford are diminishing at an alarming pace.

I knew this was a critical problem that needed a solution. Many of my colleagues, including Senators KERRY and SMITH, agreed. We worked together to ensure that the tax title of this bill contains the provision that will extend the reach of two of our most successful and broadly supported Federal housing programs: the Housing Bond and Low-Income Housing Tax Credit Programs.

We now have the best cumulative version of what the Senate and House independently approved.

The Low-Income Housing Tax Credit Program was created as part of the Tax Reform Act of 1986 and made permanent in 1993. Designed as a public-private funding partnership, largely administered by the States, this program built its way into the history books as the most successful production program in existence.

These tax credits have created 2 million homes for families in need—homes with restricted rents for terms of at least 30 years that would have otherwise been impossible.

In fact, in April 2007, Michelle from Auburn, WA, moved into one of these homes created by tax credits. She is thriving and able to provide for her children. Without tax credits like these, I am unsure where Michelle and her family would be.

We are building opportunity out of this past success and passing this opportunity on to the Americans who need it.

This will work now to increase the number of affordable choices available to our neighbors in need. State agencies award housing tax credits to housing developers, who turn the credits into construction funds by selling them to investors. These funds allow developers to borrow less money and pass the savings on to renters in the forms of lower rental rates.

A classic ''win-win'' situation.

By extending the reach of this program in the tax title of this bill, we give States the flexibility they need to develop housing credit properties in hard-to-serve, often rural, areas; we give investors needed AMT relief for housing bonds, housing credits, and rehabilitation credits; and we give our vulnerable neighbors, like Michelle, the homes they need.

It is critically important that Congress's response to the housing crisis not leave out those in need of affordable rental housing. I am proud of this legislation and am anxious to see it enacted into law.

Mr. LEVIN. Mr. President, I am pleased that we are at last moving closer to enactment of much-needed housing legislation.

The foreclosure situation in my State of Michigan continues to be dire. In 2007, there were more than 103,000 foreclosures. According to the data released recently by RealtyTrac, there were nearly 13,000 Michigan foreclosure filings in May alone, a 25 percent increase from the previous month. That is one foreclosure filing for every 353 households, which puts our State's foreclosure rate at the fifth highest in the Nation. Nationwide, filings are up nearly 50 percent compared to this time last year, with one in every 483 U.S. households receiving a foreclosure filing in May.

Sadly, we all know that homeowners facing foreclosure are not the only ones being impacted by this crisis. Property values have plummeted in many areas, due in part to the glut of abandoned and foreclosed homes. Lost property values moreover translate into decreased State and local revenue from property taxes, creating a shortfall in revenues and reducing the budget available for valuable State and local programs and services.

Our Nation's broader economic woes can also be traced back, at least in part, to the foreclosure crisis. There is a long chain of investors, lenders, and financial markets relying on American homebuyers to pay what, in many instances, are shaky home loans. Because of the record defaults on these loans, credit remains tight.

Throughout this crisis I have received wise counsel from many experts on foreclosure prevention and housing matters. Earlier this year I hosted a series of roundtable meetings in Michigan communities with leaders from local and State government, as well as organizations who are in the trenches working with families facing foreclosure, to discuss practical ways to help homeowners and protect our economy from further damage. Many of the ideas discussed at those roundtables are included in this legislation.

I have also had the benefit of advice from Bernie Glieberman, chairman of the board of the Michigan State Housing Development Authority, and member of the board of the Michigan Housing Trust Fund and Harvard University's Joint Center for Housing Studies policy advisory board. Long before the committees started crafting this housing bill, Bernie brought to my attention the idea of increasing tax-exempt bonding authority to enable State housing agencies to help struggling homeowners acquire more affordable mortgages. I am pleased that this bill will bring this additional bonding authority to fruition. I am confident that the Michigan State Housing Development Authority, MSHDA, and other State housing agencies across the Nation will put it to good use. These tax-exempt bonds will help agencies like MSHDA raise the funds needed to refinance homeowners from adjustable rate mortgages into affordable fixed-rate mortgages, as well as provide loans for first-time homebuyers and finance the construction of multi-family residential housing.

This bill has a number of other provisions that will help alleviate the suffering caused by the foreclosure crisis. Arguably the most important provision in this bill is the HOPE for Homeowners program, which will enable the Federal Housing Administration to provide groundbreaking new refinancing options to distressed borrowers. Through this temporary new program, the Federal Housing Administration, FHA, is authorized to insure up to $300 billion in 30-year, fixed-rate mortgages. I applaud the work of Senator DODD and others of our colleagues in putting this FHA refinancing proposal together. It is based on the successful Home Owner's Loan Corporation that was implemented by President Franklin Roosevelt during the Great Depression to issue new loans to help homeowners in default.

It is important to note that this new program is not an investor or lender bailout. FHA will only insure loans at 90 percent of the current property value, which in most cases is significantly less than the original loan amount. Investors and lenders who choose to take advantage of this program must, therefore, be willing to take a hit. They will likely be willing to take this loss, however, because it will be less than the losses associated with foreclosure. Also, this is hardly a windfall for distressed borrowers, as some are claiming. Those who sign up for the FHA insured loans will share their new equity and future appreciation with FHA by paying a premium—3 percent initially, 1.5 percent annually thereafter—for the FHA loan. They are also required to give a portion of the

equity from sale proceeds for this home back to FHA. I am pleased to note that this program, which is estimated to help nearly 400,000 homeowners nationwide, will not cost taxpayers money; in fact, it is expected to net $250 million.

Not only does this bill take significant steps to help keep families in their homes, it provides immediate help toward rehabilitating blighted neighborhoods. The nearly $4 billion in CDBG-like funding provided through this bill will go to areas of the country with the highest foreclosure rates and number of filings. Michigan stands to receive almost $170 million through this provision, and the funds could be used to restore an estimated 6,000 properties. Inclusion of these neighborhood stabilization funds will help protect more homeowners from going ''underwater,'' and I urge Members in the House to support keeping this provision in the final bill.

Our economic crisis is exacerbated further by the fact that we are a nation at war. Our brave and dedicated soldiers should not have to return to U.S. soil to find that, facing foreclosure action, they no longer have a home. I am pleased that this bill will delay foreclosure action for returning soldiers and also provide them 1 year of relief from increases in mortgage rates. The bill also provides additional homeownership opportunities for veterans through increases in the VA loan guarantee amount. There is also funding for home modifications for veterans with service-related disabilities.

In addition to the provisions in this bill that help alleviate the suffering of the many families in dire straits, this legislation will help stimulate the slumping housing market and help to ease the broader economic slowdown.

One key provision of this bill is a 1-year, $8,000 tax credit available for first-time homebuyers. The homebuyer would repay the money over time, similar to an interest-free loan. I have heard from realtors, prospective buyers, home builders and many others who believe this would help reduce the existing stock of vacant housing.

The availability of quality, affordable housing is critical to the economic health of America. This legislation would help create additional affordable rental housing and increased homeownership opportunities for low-income families by creating a new Housing Trust Fund and a Capital Magnet Fund. These funds, which would be provided as grants to States, would greatly help those who need it most because the funds are required to be used primarily for the benefit of low-income families. The bill also provides incentives to spur development of affordable housing property by the private sector through increases to current programs such as the Low Income Housing Tax Credit.

It is not enough to simply alleviate the Nation's present suffering and get us back on track for the time being. Congress has a responsibility to do what it can to ensure that a housing crisis of this sort does not happen again. To that end, this bill contains a number of provisions aimed at helping homeowners avoid foreclosure and reforming major Federal players in the housing market: the Federal Housing Administration and the housing government-sponsored enterprises, including Fannie Mae and Freddie Mac.

As I observed during the roundtable discussions I hosted in Michigan, many counselors are doing good work on the ground to try and help families avoid foreclosure. However, foreclosure prevention counselors are overwhelmed, and a lack of funds is tying the hands of local groups trying to help keep families on track. This bill would provide $150 million for pre-foreclosure counseling and $30 million for legal services to help keep people in their homes.

This bill also establishes a new, independent regulator for the housing Government Sponsored Enterprises, GSEs, Fannie Mae and Freddie Mac. Through capital standards, audits and other internal controls, this regulator will oversee the safety and soundness of these financial giants who play such a key role in our housing markets.

I am pleased that this bill also incorporates long-awaited legislation to modernize and expand the Federal Housing Administration. These reforms will help provide access to homeownership to families in higher cost areas who have not been able to take advantage of the FHA program in the past, by raising the FHA loan limit. It will also provide counseling for first-time homebuyers as well as homeowners who are having trouble making their mortgage payments through FHA, and improve the FHA loss mitigation process to help struggling homeowners stay in their homes.

Finally, many blame predatory lending practices, at least in part, for the excessive number of irresponsible loans made to subprime borrowers. In response, this bill amends the Truth in Lending Act, TILA, to, among other things, require that borrowers be informed of the maximum monthly payments possible under their loan, and ensure full disclosures are provided no later than 7 days before closing so borrowers can shop for another loan if they are dissatisfIed with the terms. In order to discourage unscrupulous behavior, statutory damages for TILA violations have been increased 10-fold, from current rates of $200 and $400 to $2,000 and $4,000, respectively.

I support this comprehensive housing legislation, and am confident that, once enacted, it will provide much-needed relief to many struggling homeowners in Michigan and across the country. Addressing the foreclosure crisis will require a team effort among Federal, State, and local governments, community and neighborhood organizations, and lenders, brokers, and borrowers. This bill recognizes that fact. It provides an opportunity to help keep struggling families in their homes. It provides an opportunity to help restore our housing markets by keeping declining property values stable. It will protect neighborhoods from a glut of vacant homes. I will continue to work with my colleagues to get this bill passed, and, if need be, to overcome a Presidential veto. This legislation cannot come too soon.

Mr. DODD. Mr. President, I yield 4 minutes to my friend, the Senator from Alabama.

Mr. SHELBY. Mr. President, we are nearing the end of a long debate in the Senate dealing with what some people call the housing bill, but as we know, it is more than housing. One of the big titles in it deals with the reform of the government-sponsored enterprises—GSEs commonly known as Fannie Mae and Freddie Mac, as well as the Federal Home Loan Bank Board.

We know that we are in a housing crisis in this country. We have a lot more houses than we probably need right now, and we have a lot of people who are going to be facing foreclosure. So, working together with Senator DODD and our staffs, we have tried to come up with a plan to give thousands of people an opportunity for some relief. It is not a Government bailout. It is not taxpayers' money. It gives them an opportunity—assuming a lender is about to foreclose on someone—to get together with someone else who has borrowed money and say: Look, if you can get this refinanced through the FHA modernization plan, if we can do that and we can cut down on the value of the mortgage—take a haircut, so to speak—this is better than a foreclosure.

Lenders know the worst thing in the world for them is foreclosure. Borrowers know that too, because it is a dangerous game people play. Going back to the Fannie Mae and Freddie Mac situation, we know they play a huge role—a central role—in our housing, but we also know that together they owe a little over $5 trillion; $5 trillion in debt, and they are thinly capitalized because they are government-sponsored enterprises. They have the implicit guarantee of the taxpayer—the U.S. Government, basically. I have no reason to believe we would let them go under because there is a lot at stake. The way to keep them from getting in worse financial shape is to create a strong regulator that will monitor them closer than they have been in the past to make sure they have adequate capital.

With Senator DODD's 28 years and my 22 years on the Banking Committee, we have 50 years. In our combined 50 years on the Banking Committee, we have seen financial debacles. We have seen good times and bad times. What we are trying to do is prevent as many headaches and hardships as we can, not only to homeowners but ultimately to the American people by reforming GSEs. I hope this is a big first step today.

I wish to take a minute to commend my colleague, Senator DODD, chairman

of the Banking Committee. As I enjoyed my 4 years serving as chairman, I also enjoy working with Senator DODD and his staff. I wish to commend his staff as well as my staff, our Republican staff on the Banking Committee, including Bill Duhnke, Mark Oesterle and others, for all the work they have done here, night and day, and it is not over yet.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, first let me thank my colleague from Alabama, Senator SHELBY. He makes it sound like Methuselah this morning referring to those years we have served together in the Senate, combined years of service. I have been a member of the Banking Committee since my first day as a Member of this body in January of 1981. I have served under and with a lot of different people on that committee, going back to Bill Proxmire of Wisconsin, who was the ranking Democrat in those days; Jake Garn, who was the chairman of the Banking Committee in 1981, the Senator from Utah. Over the years, Senator Riegle, Phil Gramm, and Paul Sarbanes, of course, chaired the committee, as well as, of course, Senator SHELBY.

This is an important moment for this body. We have a severe housing crisis in the country. I don't need to keep repeating that. All Members recognize it. When we go home and talk to our constituents, as we did over the last week or so, we see that this problem is not going away. We were hoping that somehow the market would be taking care of all of this and by now we would be seeing that proverbial light at the end of the tunnel, but the only light we see is the light of a train coming. Unless we act promptly, we are looking at a situation that will only get worse.

Our legislation is not the salvation of every problem. I wish to make clear to my colleagues that what Senator SHELBY and I and the other 19 members of our committee have done is to fashion some proposals that we think will make a significant contribution to the issue, maybe the most important one being a sense of optimism and confidence that this Congress of ours, despite the narrow margins that split us as two parties in this body, can actually work together to get something done.

There is a growing fear in the country—in fact, more than growing—that we are incapable of doing much here; that we can't seem to get much done because of the partisan divide. This bill argues strenuously against that conclusion. By a vote of 19 to 2, this committee marked up this piece of legislation.

We have now been on the Senate floor debating this because of the very difficult parliamentary situation we are presented with as a result of what the House of Representatives sent us, so we have spent this much time on this legislation. However, I think we have a very good product reflected by the votes that have occurred over the last several weeks. I think the lowest vote total on any single proposal that has been either offered or suggested has been something like 77 votes, showing that an overwhelming majority of people are supporting this committee product, and we appreciate that as members of the Banking Committee.

So this action is coming none too soon. Today the RealtyTrac reported that over 250,000 families went into foreclosure in the month of June. That is a 53-percent increase over last year. We all throw these statistics around rather easily in this Chamber, but numbers, while staggering, are faceless and nameless. Behind every one of these numbers, that 250,000, that 53-percent increase, is a mother, is a father, is a family, and children whose lives have been unalterably changed for the worse because they are going to lose their home. They are going to lose their home.

Just imagine, if you will, those who have not been in that situation, what it would be like to wake up this morning and know that you have a foreclosure notice on your home, that you can't meet your obligations and you have to face your children, you have to face your spouse, you have to face your coworkers, and you have to find some other place to live. Mr. President, 250,000 people went through that in the month of June, 1,500,000 over the last year, and we are still here debating this bill and whether we can do anything to make a difference in people's lives.

What is happening today is a tragedy, a significant tragedy for these people, for their neighbors, for their communities, and for our country. The cover story in this week's issue of Business Week is entitled ''The Home Price Abyss: Why the Threat of a Free Fall is Growing.'' I think the article sums up very well the threat we are trying to address with this legislation.

Let me quote from it:

> The risk to the financial system and the economy is that the price drop, which is already horrifying, will start feeding on itself.

It goes on to say:

> When home values fall low enough, hard-pressed homeowners become less able or less willing to keep paying their mortgages. That forces lenders to repossess homes and then dump them back on the market at fire sale prices, which depresses further the prices in those neighborhoods and leads to even more foreclosures.

When we consider the role home equity has played in supporting consumer spending, we can see that this vicious cycle can create a disaster. We have already had hundreds of thousands of job losses and the like. I think we all recognize we have a responsibility to act.

Today, we have an opportunity to pass the Housing and Economic Recovery Act of 2008, which will help us begin to address this crisis and the larger economic turmoil. I wish to add that we would have liked to have considered other amendments. Other colleagues had ideas to add to this bill. Because of a handful of Members who don't want any more consideration, we are forced into this situation. A number of amendments had been worked out between Democrats and Republicans, but we cannot even offer those. That is the situation. I regret that because there were some good ideas, frankly, that could have been added to the bill as it leaves here. But that is the situation. Candidly, we cannot wait longer, having gone weeks going through the parliamentary rigmarole on the floor of the Senate.

I will sum up again the legislation we are about to pass and send on to the House. The bill establishes the Hopeful Homeowners Act to assist at least 400,000, maybe 500,000 families to keep their homes and stabilize their neighborhoods. It does so after asking both lenders and borrowers to make financial sacrifices. It does so at absolutely no cost to the taxpayer. It creates a new class of regulation for Fannie Mae and Freddie Mac.

You can look in the Wall Street Journal of this morning if you doubt whether we should act or we can wait longer. The headline is: ''U.S. Mulls Future of Fannie, Freddie.'' If you think we ought to wait longer to try to get something better out of the bill, consider what we may have happen to these GSEs, which are critical to providing stability in the housing market. The world-class regulator, which is something we tried to do over the last 7 years, is finally done in this bill on a bipartisan basis. Recent news makes it clear these entities need a strong regulator to ensure they are viable and healthy institutions.

The bill raises the loan limit from $417,000 to as high as $625,000, so the GSEs can play a more active role in stabilizing the housing market. I wish to point out that this loan limit is considerably higher than what was included in the committee-passed bill. Senator SHELBY, to his credit, and I agreed to do this in an effort to accommodate the interest of the other body, the House. And also the people who live in higher cost States, the higher numbers will be important for them to get relief as well from the bill.

Treasury Secretary Paulson said passing this legislation is the most important thing we can do to address the housing crisis. The bill modernizes the FHA program, raising the loan limit from $362,000 to $625,000. The FHA proved its value in the current crisis. It continues to be a stable source of mortgage credit, while many other lenders have failed. This bill will make sure FHA is available to even more American families.

To give you some idea of how this affects people, by raising these limits to the $625,000 level from $417,000, we will now cover 85 percent of the American population and 98 percent of the counties in America. The other 2 percent are the very high-cost counties. My

State has one of them, and several other States across the country do as well. But 85 percent of the American people are potentially covered by this bill, and 98 percent of the counties will be covered by the numbers we have raised from $417,000 to $625,000. When people tell you we are not reaching enough, we have reached about as far as you can reach if you are interested in helping those who may face more serious problems.

The bill includes a permanent affordable housing fund, financed by Fannie Mae and Freddie Mac, that will provide tens of thousands of affordable housing units in the future. Let me say, about this part of the bill, the GSE reform will be long lasting and important. The HOPE for Homeowners Act is temporary; it doesn't exist after 3 or 4 years. Maybe the most important thing we will do is the affordable housing issue in this bill. No new tax money required. The money will come out of the GSEs. We know, as a matter of fact, that we have built very few affordable housing units in this country over the last number of years. And particularly those people losing their homes will have a hard time finding rental units. This is a permanent bill on affordable housing, and there is a means to pay for it without adding to the taxpayers' costs. It is one of the most important long-lasting features of the bill. In the long term, that bill will make a huge difference for millions of people.

Seventeen million people today spend half their disposable income on their houses. If you are on SSI, in fact, housing costs exceed the monthly benefits you get today under SSI. For millions of people in this country, that affordable housing provision can be very important in the long term.

The bill includes a new protection for elderly homeowners taking out FHA-insured reverse mortgages so they are not deceived into using the proceeds from the loans to buy expensive and needless insurance products. These are provisions that were incorporated by Senator MCCASKILL, and we thank her for it. There is a new mortgage broker and lender licensing requirement that was added by Senator MARTINEZ and supported by Senator FEINSTEIN from California. That will begin to address many of the abuses of the mortgage process that have been perpetrated by brokers.

In addition, the bill includes improved disclosure requirements that were added by Senator REED of Rhode Island and Senator BOND of Missouri as well. Because of the effort of Senators KERRY, COLEMAN, AKAKA, CORNYN, and SANDERS, the bill expands the availability of VA housing programs. It includes a number of provisions to help returning veterans save their homes from foreclosure and provides new housing benefits to disabled vets as well.

In an amendment adopted on the floor prior to the recess, we added language by Senator KOHL of Wisconsin to create protections against foreclosure scams, and we reduced paperwork burdens on certain small public housing authorities, thanks to the amendment by Senator SUNUNU.

This legislation includes $3.9 billion in emergency community development block grant funds. This is a controversial provision. I know some Members have raised concerns about it. I think all of us recognize that when we talk about a national crisis, with problems of foreclosures having a devastating effect in our States, obviously, resources locally, with property taxes declining for police and fire, and the like, our mayors and county officers are finding themselves further hard-strapped to meet their obligations. We thought an infusion of community development block grant money, targeted specifically to those communities that face high foreclosure rates, would be of benefit to them to help them rehabilitate their communities and the foreclosed homes and get them back on the market. This is still in the bill.

I have been warned by Members of the other body that this provision will have to come out. I know some Members want to strike it. It is going to stay in the bill that is going to the other body. They object to it because they don't have a pay-for in it, and we do here. We call it emergency funding, as we do when we have hurricanes or other natural disasters occurring. This is similar to a natural disaster. If you are one of those 250,000 families who, in the month of June, lost their homes—whether by flood or by hurricane, believe me, it is a disaster. They lost it because they got lured into deals they could not afford or because there was a scam or deceptive practices going on. Don't try to tell that family they have not faced a disaster. It is not a natural one, but nonetheless it is a disaster. The idea that we cannot provide additional funding to mayors and county executives to help out communities is something I am troubled by. It may come out of the bill when it comes back. I urge them to look hard at this and try to find a funding source.

I ask unanimous consent for an additional 5 or 10 minutes.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. INHOFE. Mr. President, I am going to object, and I will explain why. We have a committee hearing we are working through this vote, and so I do object.

The ACTING PRESIDENT pro tempore. The Senator has 2 minutes remaining.

Mr. DODD. I will yield that time to my colleague from New Jersey.

The ACTING PRESIDENT pro tempore. The Senator from New Jersey is recognized.

Mr. MENENDEZ. Mr. President, I thank the Senator from Connecticut for his leadership. I rise to express my disappointment that it appears that the managers' package is being blocked by one or two of my friends on the other side of the aisle. This package includes, among other important provisions, my amendment, offered by family and children organizations across the country, to help children who are the silent victims of the housing crisis.

My amendment authorizes $30 million in additional funding into the existing McKinney-Vento Homeless Education Program to support children directly impacted by foreclosures. There are about 2 million children in this country, including 50,000 in New Jersey and over half a million Latino children nationwide, who will be directly impacted by the foreclosure crisis, placing them at risk of poor school performance, behavior problems, and other challenges as well.

While we provide lower interest rates supporting the homebuilding industry and reform mortgage lending practices, several children's organizations and educational organizations have asked for this amendment as a modest way that our Nation can support the nearly 2 million children who are suffering the consequences of decisions made completely outside their control.

The foreclosure crisis is damaging our economy. Let us not forget that the children who have no say, no ability to make a difference in their lives, are the real victims of this crisis and, even worse, they are the silent victims. It is not fair these children get lost in the paperwork or in the politics of one Member, and they deserve our full support.

This amendment was being cosponsored by several colleagues. We worked with Senator ENZI, who had original jurisdiction, along with Senator KENNEDY, to get the language right. We appreciate Senator SHELBY having it in the managers' package. If that cannot move forward, these children will be left unprotected. That is a disgrace.

The ACTING PRESIDENT pro tempore. All time has expired.

The clerk will report the motion to invoke cloture.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to disagree to the amendments of the House, adding a new title and inserting a new section, to the amendment of the Senate to H.R. 3221, the Foreclosure Prevention Act.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that debate on the motion to disagree to the amendments of the House, adding a new title and inserting a new section to the amendment of the Senate to H.R. 3221, shall be brought to a close? The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. CLINTON), the Senator from Massachusetts

(Mr. KENNEDY), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER (Mr. WEBB). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 84, nays 12, as follows:

[Rollcall Vote No. 170 Leg.]

YEAS—84

Akaka	Durbin	Murkowski
Alexander	Feingold	Murray
Allard	Feinstein	Nelson (FL)
Baucus	Graham	Nelson (NE)
Bayh	Grassley	Pryor
Bennett	Gregg	Reed
Biden	Hagel	Reid
Bingaman	Harkin	Roberts
Boxer	Hatch	Rockefeller
Brown	Hutchison	Salazar
Brownback	Inouye	Sanders
Burr	Isakson	Schumer
Byrd	Johnson	Sessions
Cantwell	Kerry	Shelby
Cardin	Klobuchar	Smith
Carper	Kohl	Snowe
Casey	Landrieu	Specter
Chambliss	Lautenberg	Stabenow
Cochran	Leahy	Stevens
Coleman	Levin	Sununu
Collins	Lieberman	Tester
Conrad	Lincoln	Thune
Corker	Lugar	Voinovich
Craig	Martinez	Warner
Dodd	McCaskill	Webb
Dole	McConnell	Whitehouse
Domenici	Menendez	Wicker
Dorgan	Mikulski	Wyden

NAYS—12

Barrasso	Cornyn	Enzi
Bond	Crapo	Inhofe
Bunning	DeMint	Kyl
Coburn	Ensign	Vitter

NOT VOTING—4

Clinton	McCain
Kennedy	Obama

The PRESIDING OFFICER. On this vote, the yeas are 84, the nays are 12. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Cloture having been invoked on the motion to disagree to the two remaining House amendments, the motion offered by the majority leader to concur with an amendment to the first such House amendment falls.

ORDER OF PROCEDURE

Mr. REID. Mr. President, under an order entered yesterday with respect to Executive Calendar Nos. 665 and 666, I now ask unanimous consent that upon conclusion of the cloture vote with respect to the House message to accompany H.R. 3221, regardless of the outcome, the Senate proceed to executive session to consider the nominations as provided for under the conditions and limitations of the previous order; further, that upon conclusion of the debate or yielding back of time on the nominations, the nominations be set aside until 2 p.m. today, at which time the Senate then proceed to vote on confirmation, as specified in the previous order.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and it is so ordered.

Mr. REID. Mr. President, for the information of all Senators, I have been advised by Senators DODD and SHELBY that they likely will be able to finish their work on the housing bill today.

We have also pending a cloture vote tomorrow morning on the PEPFAR bill. I have had a conversation with the Republican assistant leader and we kind of know where we are on this issue. We could, with consent, move that vote up today or do it in the morning. Whatever, we on this side would be satisfied to do it today.

I have had a conversation with Senator BIDEN, who has helped a great deal on this piece of legislation, and he said he was going to confer with Senator LUGAR to see if the last kinks can be worked out. Frankly, that is doubtful. So we can either have that cloture vote in the morning or this afternoon, and we await the word of the minority as to what they wish to do on that issue.

EXECUTIVE SESSION

NOMINATIONS OF GENERAL DAVID H. PETRAEUS AND LIEUTENANT GENERAL RAYMOND T. ODIERNO TO BE GENERAL

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and consider the following nominations, which the clerk will report.

The assistant legislative clerk read the nominations of Gen. David H. Petraeus and Lt. Gen. Raymond T. Odierno, Department of the Army, to be general.

The PRESIDING OFFICER. Who yields time?

The Senator from Michigan.

Mr. LEVIN. Mr. President, we have these two nominations before us. I understand the vote on the two nominations will take place at 2 p.m. or thereabouts.

The Senate Armed Services Committee unanimously approved the nomination of General Petraeus for reappointment to the grade of general and to be commander of the U.S. Central Command, and also the nomination of LTG Raymond Odierno for appointment to the grade of general to be commander of the Multinational Force Iraq. The confirmation of these nominations will provide a continuity of senior military leadership for the region and for Operation Iraqi Freedom. This continuity in U.S. military leadership will be helpful in working with regional and Iraqi political and military leaders.

General Petraeus brings a large amount of experience and leadership to the position of CENTCOM commander. He has served over 30 years in the military, including 3 tours of duty in Iraq, first as commander of the 101st Airborne Division, then as commander of the Multinational Security Transition Command Iraq, and since February of 2007, as commander of the Multinational Force Iraq. As the Multinational Force Iraq commander, General Petraeus has led a shift in tactics in Iraq, helping to calm, hopefully permanently, very violent sectarian conflict.

If confirmed as CENTCOM commander, General Petraeus would continue to oversee the U.S. troops in Iraq, drawing on his knowledge of the situation on the ground and his working relationships with Iraqi political and military leaders. He would also be responsible for addressing an increasingly violent insurgency in Afghanistan and other important national security interests throughout the CENTCOM region.

General Odierno is well qualified for his new duties, with 32 years of uniformed service, including 2 tours in Iraq, first as commander of the 4th Infantry Division, and until recently as commander, Multinational Corps Iraq, in which he worked directly under the command of General Petraeus. He has assisted the change in operational approach in Iraq toward counterinsurgency. He understands that Iraqis must achieve political reconciliation to unite their country and to provide more effective governance for Iraq. He understands the importance of and is committed to increasing the Iraqi security forces technical capability, professionalism, evenhandedness, and full integration so they can eventually assume total and effective responsibility for their own nation's stability. He understands the recent gains in reducing violence, controlling militias, and rejection of al-Qaida must be supported and expanded by an Iraqi Government which grows more capable and is more attuned to meeting the needs of the Iraqi people. And most importantly, General Odierno understands the necessity for Iraqi political leaders to take responsibility for their own country—to take responsibility politically, economically, and militarily.

So our country, I believe, is indebted to the service of General Petraeus and General Odierno for their willingness to continue that service, and we are also indebted to their families for the sacrifices those families endure when their two loved ones spend so much time in such difficult areas.

I urge my colleagues to support these two nominations.

The PRESIDING OFFICER. The senior Senator from Virginia.

Mr. WARNER. Mr. President, I wish to inform the chairman that I shall speak myself, and Senators SESSIONS, CHAMBLISS, and GRAHAM also hope to be recognized. I have inquired at the desk, and there is some flexibility in our time here this morning, and we will go from one side to the other if Senator LEVIN has colleagues who are going to speak.

Mr. LEVIN. Mr. President, on that point, what is the time situation?

The PRESIDING OFFICER. Under the order, there is 20 minutes equally divided.

Mr. LEVIN. And how much time did I use?

The PRESIDING OFFICER. The majority side has 6 minutes 34 seconds, and the Republican side has 9 minutes 24 seconds.

Mr. LEVIN. Mr. President, I reserve the remainder of my time. I have no objection to Senator WARNER's yielding to the Senators he has identified, or other Senators speaking beyond that 9 minutes, or whatever time he has. But I will have to reserve the remainder of my time, because I think there may be speakers on my side who may oppose the nominations, and I want to protect them if they do. So I ask that same courtesy then be agreed to by the good Senator from Virginia, if there is additional time needed on our side for speakers.

Mr. WARNER. Mr. President, subject to my leadership, I will certainly recommend that be done.

Mr. President, very simply, two of America's finest sons are before this body with the very important responsibility entrusted by the Founding Fathers as they wrote the Constitution of the United States; namely, that the Senate shall give advice and consent. I have had the privilege through my lifetime to be associated with many senior officers of all branches of our military. I say unreservedly, these are two of the most extraordinary that I have been privileged to know and work with in my long career.

On many trips to Afghanistan and to Iraq with the distinguished chairman of the committee—we so often travel together—on a number of those occasions we worked directly with General Petraeus and General Odierno. Therefore, they both have my strongest endorsement, and I congratulate them individually and I also congratulate their families. These are two fine officers, and their families have participated in their careers and backed them. If you look at the length of service that each has had in four deployed regions, most specifically Iraq, it has been a very extensive period of time, and the consequences on the family are often difficult to bear. But the families have stood by these fine officers through these long deployments.

Both nominees have had extraordinary experience, and therefore I anticipate we will have a very positive confirmation by the Senate. They are highly experienced, indeed specifically trained. I sort of edited that word into my remarks because they have served a number of times in Iraq and moved up to higher responsibilities—in the case of General Odierno, and in General Petraeus, he takes on responsibility for the entire region. But he is magnificently trained to do so.

Further, as we approach, again, our constitutional system by which we change Presidents, there is a continuity that these two officers offer by virtue of serving in these positions, if it is the will of the next President. That is invaluable in this region. That is because, as the distinguished occupant of the chair and many others know, the cultural situation in this part of the world is a very challenging one to fully understand and appreciate; to see that our Armed Forces act with them, work with them in such a way as to achieve the goals but at the same time protect our Armed Forces.

I say ''with'' because the nations of Iraq and Afghanistan are now sovereign nations. As such, we are there by consent of that sovereignty to work with their forces.

I also add that I don't know that I have ever experienced a dimension in contemporary times where the professional officers have had to work so very closely with other members of the executive branch, notably the National Security Council and the Department of State, working hand in hand.

The current Ambassador in Iraq, Ambassador Crocker, is well known in the Senate, and I believe extremely admired and respected for the services he has rendered. He has been a partner with General Petraeus in working through their individual responsibilities, coming before the Congress jointly to make their reports. They know the region, they know the background, and they are fully qualified to undertake these responsibilities.

At this point, I would like to yield the floor to my other colleagues. I may have a few closing remarks.

I see the distinguished Senator from Georgia, a member of the Senate Armed Services Committee.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. CHAMBLISS. Mr. President, Senator WARNER, Chairman LEVIN, thanks for getting these nominations up in short order.

I rise to speak in favor of the nominations of GEN David Petraeus to be Commander, United States Central Command, and LTG Raymond Odierno to be General and Commander, Multi-National Forces—Iraq.

Over the past few years under the leadership of these two men we have seen vast improvements in the conditions on the ground in Iraq, the quality and number of the Iraqi security forces, and increasing ownership of the political process and issues facing their country by the Iraqi government and the Iraqi people. These accomplishments are due to the efforts of our young men and women in uniform who have sacrificed to defend our values and build democracy in Iraq. General Petreaus and General Odierno have led these men and women and they have done so ably, wisely, and with integrity and professionalism. They are without question the right men for the jobs for which they have been nominated.

Our young soldiers, sailors, airmen, and marines in Iraq and Afghanistan have had the opportunity to be led by some of the greatest military leadership we have witnessed in our era. General Petraeus and General Odierno embody our military values and leadership principles in the tradition of great military leaders who have come before them. These two combat veterans, who between them have served our Nation in uniform for over 60 years, have demonstrated that they have the skills and commitment to carry out and complete our mission in Iraq and safeguard our 150,000 servicemembers in Iraq.

With the right leadership—which these two generals can provide—Iraq will continue to benefit from the implementation of our current military and security strategy. I feel honored to have witnessed the efforts of these two soldiers and am certain that their leadership will continue to successfully guide our efforts in Iraq.

I have had the opportunity to visit one on one with both General Petraeus and Lieutenant General Odierno on the multiple trips I made to Iraq. I often refer to David Petraeus as being the best soldier that the U.S. Army has today. General Odierno is right there with him. They have the greatest men and women serving under them. Without their outstanding leadership, certainly we would not have been able to accomplish what we have in Iraq over the past year and a half.

The first time I saw David Petraeus in action in Iraq was while training Iraqi security forces. He did a great job correlating the efforts of the Iraqi military on the ground with the security forces. He had a way of directing the Iraqi military commanders in a way that was extremely unusual, very positive, and very professional.

Today, what we are seeing as a result of the efforts of David Petraeus is an Iraqi military that is growing stronger, more confident and in the short term, is going to be in a much better position than certainly they are even today of protecting the citizens of Iraq from external sources. They will also help the security forces provide domestic security for Iraqi citizens.

General Odierno has made great sacrifices by being away from his family for so long. He just returned from Iraq. Now we are asking him—and he has graciously committed, once again, for the benefit of service to our country—to return to Iraq to be in the position of commander on the ground. He is truly a great individual and certainly his record in the military speaks for itself.

Both of these men deserve our utmost respect and certainly a strong vote in this body confirming their positions.

In closing, let me say a commitment to the military is a family commitment. Both General Petraeus and General Odierno have made great sacrifices being away from their families for extended periods of time—not just while they have been serving our country in Iraq and Afghanistan but certainly previous to that time also. I do know they have been away from home for an extended period of time. Without the great support of their families they would not have been as successful as

they have. I salute their families as well as saluting them both.

I urge this body to give a strong and resounding vote in favor of these two men for the positions for which they have respectively been nominated.

I yield the floor.

Mr. WARNER. I thank the Senator from Georgia. He is a strong voice on the Senate Armed Services Committee. His views with regard to the qualifications of these two officers with whom he has worked over these many years are of great value to the Senate.

Mr. President, I see the presence on the floor of our distinguished colleague, another member of the committee, Senator SESSIONS.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I thank Senator WARNER. I would share a few thoughts. You might ask why is it that generals throughout our history, particularly successful generals, have been as popular as they have been? I think it is because they are called upon to lead our soldiers in a life-and-death struggle. And at given times in history, some people's talents and gifts and understanding of the nature of the combat are such that they can bring us to success with the least possible cost and the least number of lives lost. I believe—not that other generals are not as good or as decent people—but at certain times certain people have those capabilities.

In General Petraeus we are fortunate to have one of our finest commanders. We are particularly fortunate that his gifts and graces and talents are such that they are perfectly suited to the type of combat in which we have been involved. He was a commander of the 101st Airborne. He is a warrior. He knows the nature of combat. He is a sensitive and decent person, but he understands the nature of combat and the importance of victory. He knows how to impose a cost on an enemy and minimize the losses to the American side. I think we are lucky to have him.

He finished at the top of his class at West Point, one of their outstanding graduates. He was No. 1 in his class at the Army's Command and General Staff College. He has a Ph.D. from Princeton University in international relations. He has taught that subject as well.

When I first met him he was in Iraq. The 101st had taken Mosul in the north. He had a superb grasp of the situation. He was reaching out to reconcile the disparate groups. He introduced me to the town council. One member was a Kurd and one was a Christian and one was a Sunni and one was a Shia. It was an effort that he understood was important: to reconcile the differences there. After his departure, things did not go as well as when he was there.

The second time I met him in Iraq was when he was in charge of training the local Iraqi police and military. President Bush had asked him to go back and do that important task. It was a critically important task, the President believed, and General Petraeus was one of the most talented people we had, so he was asked to go back. He worked in that capacity for a year.

He came home and then wrote the counterinsurgency manual for the Department of Defense. This thick manual is a doctrinal statement on how to confront and defeat an insurgency, a very important skill at this time in history. The ink was hardly dry on that document when President Bush and the Secretary of Defense asked him to go back to Iraq and command our forces.

So in February of 2007 we confirmed him by an overwhelming vote to go back and lead our forces in Iraq. During that time the surge was debated, and the Congress overwhelmingly, in a bipartisan way, confirmed General Petraeus to go to Iraq. And later in May we voted to fund that surge. The phrase often used was: to give General Petraeus a chance. We wanted to give him a chance to employ new tactics a and more classic counterinsurgency doctrine, in which he was an expert. As a man who had already spent 2 years in Iraq, he was already closely attuned to all of the difficulties in that country. He went back and had extraordinary success.

General Odierno has also been there all along, and played an instrumental role in the U.S. military's success. I had the opportunity to visit with him twice in Iraq, an extremely important man. In the Weekly Standard, Frederick Kagan and Kimberly Kagan, very astute observers of the scene in Iraq, referred to General Odierno, as: ''The Patton of Counterinsurgency.'' They said:

> With a sequence of brilliant offenses, Raymond Odierno adopted the Petraeus Doctrine into a successful operational art.

So we are lucky to have a good team here. The Kagans refer to generals coming in pairs. They noted: Eisenhower and Patton, Grant and Sherman, Napoleon and Davout, Marlborough and Eugene, Caesar and Labienus. Well, I do not know why he did not mention Lee and Jackson in that group. But generals do often come in pairs, and this pair is unique.

Now General Petraeus will be moving up to command the Central Command. Of course his most critical areas are Iraq and Afghanistan. General Odierno will be replacing General Petraeus, and I believe we could not have a better circumstance from a command point of view. I could not be happier with the team we have there. I will note that this May, under their leadership, we saw the fewest U.S. deaths of any month since the war began, and July is currently on pace to see even fewer. Remarkable progress has happened. We should confirm these people and be most thankful that we have them as leaders.

Mr. WARNER. Mr. President, I thank our distinguished colleague from Alabama, a member of the committee. He is a very strong voice. I only add to your observations, which are very accurate about the situation in Iraq, we all share a concern about the worsening situation in Afghanistan, and that will become General Petraeus's top responsibility. We are fortunate that he is eminently qualified and has studied the culture of the region, having understood the complexity, the geopolitical situation with regard to Pakistan and Iran. He is eminently qualified to step in and be the commander of those forces in that region.

Mr. SESSIONS. I agree. I note he has a Ph.D. from Princeton in international relations. He has taught that. So you are right. He has the combat experience as well as the geopolitical expertise.

Mr. WARNER. But his boots are on the ground now, not writing dissertations.

Mr. President, I see our distinguished colleague from South Carolina.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I wish to thank Senator LEVIN and the committee for moving these names forward so we can get these two fine men into new jobs. The committee worked very decisively and quickly, and we are going to have a vote here soon. I hope we can get as close to 100 as possible.

My observation about these two officers is very similar to what Senator SESSIONS said. But having met them and spent some time with them in theater, and I got to know them pretty well, I need to say something on their behalf, that they could have not done this without the people under their command.

I have spent a lot of time in Iraq, like many Members here. The soldiers, sailors, airmen, marines, members of the Coast Guard, every civilian force, have performed magnificently. General Petraeus came up with a new strategy. Quite frankly, before he came along we were losing.

You can talk about Iraq in any terms you want to, political or otherwise. But it was my view that the situation on the ground in Iraq, before this new strategy, was going to result in losing, that we were losing ground against the insurgency and that General Petraeus and General Odierno came up with a new way of doing business, getting the troops out into the field, the joint security stations, where our soldiers would live with the Iraqi police and the army.

This has transformed the Iraqi Army, and the police are getting better. You see this in Basra, you see this in Mosul where the capacity of the Iraqi Army is a lot better than it was the last year in terms of the capability and numbers. It was a direct result of changing strategy, getting out from behind the walls, taking the fight to the enemy. The

Anbar Province strategy, with the Sunnis, the Shiaas turning on al-Qaida, was the defining moment in this war. When General Petraeus came up with a strategy to try to get the Sunni population to break away from al-Qaida by providing better security, that turned the tide in Anbar.

The political progress we have seen with 15 of the 18 benchmarks being met by the Maliki government is a direct result of Ambassador Crocker and General Petraeus sitting down with the Iraqi leadership and doing a lot of hand holding.

The military side of this is important, but I hope the members of the body will appreciate how sophisticated General Petraeus, General Odierno, and Ambassador Crocker have been when it comes to the economic and political aspects of this. They have put money into projects that changed the quality of life in Iraq, that got people more emboldened to join with the Government. They pushed the Sunnis, the Shiaas, and the Kurds to reach political compromise.

These are two of the most talented politicians I have ever met, even though they are in uniform. They are American commanders who were dealt a tough hand. And the politics of Iraq they understood as well, I believe, as the counterinsurgency problems the military faced. What they have brought to the table will go down in history as the most successful counterinsurgency operation in the history of warfare. I have worked on judicial issues. They provided security to the judges, additional capacity in the rule of law area. General Petraeus told me early on: The population has to believe in the law, because if they do not believe in the Government and the law, they will go to militias.

So we celebrate the success of these two men. But on their behalf, I wish to thank all of those who served under them, because they are the ones who made it happen, along with great leadership. We are winning now. We have not won yet, but the difference in Iraq before and after is stunning. It is for all of us to see—progress politically, economically and militarily. I look forward to promoting these two fine officers. Hats off to them and all those who serve in Iraq.

Mr. WARNER. Mr. President, I thank our colleague from South Carolina. He is too modest to say it, but I think he has logged as many trips into that region as any of us here, very often in the company of Senator MCCAIN, who likewise has strong support for both of these officers. I thank the Senator for his work and his important contribution to the debate.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will return to legislative session.

AMERICAN HOUSING RESCUE AND FORECLOSURE PREVENTION ACT OF 2008—CONTINUED

The PRESIDING OFFICER. The Senator from Louisiana.

ROAD HOME TAX

Ms. LANDRIEU. I thank the Senator from Virginia for his comments on the pending nominations.

But I wanted to take a moment to speak about the housing bill that passed. It was a very significant piece of legislation. On behalf of the people of Louisiana, I wanted to come to the floor to specifically thank Senator DODD for his extraordinary leadership and tenacity in getting this bill through the floor of the Senate. It has been stuck for weeks. He got it unstuck this morning and passed it, and it has significant relief for homeowners throughout America, to help us stem the foreclosure rate, to stem the tide of economic downturn in many counties throughout our country. But for Louisiana, it has some very special relief. Part of that bill was actually crafted by Senator BAUCUS and Senator GRASSLEY as chair and ranking member of the Finance Committee, and there was a big piece of that in this housing bill. In that Finance piece was a tax relief provision that is, in my view, central, crucial, and vital to the recovery, ongoing recovery of South Louisiana and the gulf coast.

We added this language to the Foreclosure Prevention Act back in April, where it passed the Senate on a 74–5 vote and I am pleased to see that the combined housing package preserves this critical assistance.

In short, the legislation ensures that hurricane survivors are treated both fairly and with dignity as they struggle to rebuild their lives.

As you know, when these storms, Katrina and Rita, hit, now 3 years ago, they were unprecedented in the size and scope of the destruction. This country has not seen anything like it in well over 100 years, and hopefully we will not see anything like it for another 200 or 300 years. When we went to the Federal toolbox, if you will, to see what tools were available to help the 250,000 homeowners who lost their homes, many did not have insurance because their homes were paid for, or they were not in the flood plain. They lost everything, their homes, their business, their place of worship, the schools their children went to. So when we went to the toolbox, there were not adequate tools to help them. We have been crafting those tools slowly. It has been agonizing for people who are waiting for us to give them a hand.

Many of these taxpaying, hard-working citizens are not asking for charity; they are asking for a chance to get their business back, get their feet back underneath them.

As you know, I am sure it is this way in Virginia. Most middle-class and upwardly mobile families have most of their net worth tied up in their home. So when their home is considered destroyed and the contents as well, it impacts the financial stability of that family.

That is why I have stayed focused on homes, on home rebuilding, and on small businesses, because it is the backbone of our recovery. I am proud to say that in this bill, we were able to deliver $1 billion of relief, literally $1 billion of relief to homeowners who you could argue deserve more help than almost any group of homeowners in America.

Again, these homeowners are suffering kind of a double whammy. Not only did they go through Katrina and Rita, but they are also now in an atmosphere of a slow real estate market; in some places a market that is spiraling downward because of the atmosphere of the country and the economy; although actually at home our economy relative to the country is doing pretty well.

This underlying bill provides relief to homeowners along the gulf coast who had their homes destroyed after Hurricanes Katrina, Rita, and Wilma. In 2005, thousands of people along the gulf coast took casualty loss deductions on their tax returns due to damage that their properties sustained from the hurricanes.

In 2007, many of the same people began to receive payments to cover uninsured losses to their property under Louisiana's Road Home program, Mississippi's Housing Assistance program and similar programs in Florida and in Texas.

The IRS has concluded, however, that individuals who took the casualty loss deduction in 2005 and subsequently received a grant payment must add the value of the casualty loss deduction their 2007 income.

This decision not only increases the amount of taxable income but also: increases an individual's tax rate by bumping them into a higher tax bracket; subjects certain taxpayers to the Alternative Minimum Tax; phases out deductions; subjects an individual's Social Security benefits to additional taxation; and makes a taxpayer ineligible for Federal student load aid.

So this relief was absolutely essential. Take the example of two very similar families—the Jones and the Smiths. Both earn $75,000 a year and both had homes that suffered substantial damage in Hurricane Rita. Both of the families received a road home grant of $75,000 in 2007 to cover uninsured losses to their homes. So at this point, they are exactly the same.

In 2005, however, the Smiths took a $75,000 casualty loss deduction which entitled them to a refund of about $7,000.

According to the IRS, the Smith family had to add the value of their 2005 casualty loss deduction, totaling $75,000, to their 2007 income. So what is the result of this?

The Smith family had to pay $25,000 in taxes while the Jones family will

have to pay about $7,000 in taxes. That is over a 350-percent increase in taxes. Not only did the Smith's amount of taxable income increase, but they were bumped into a higher tax bracket so their rate of taxable income increased.

So what does this bill do? This bill would permit taxpayers to amend their 2005 tax returns to reduce or eliminate their casualty loss deductions. By eliminating or reducing their casualty loss deduction, they will not have to pay taxes on their road home grants. A current IRS regulation forbids individuals from amending their returns under this circumstance.

So what effect would the bill have upon the Smith family. At the outset, they will not have over a 350 percent increase in their taxes. They will, however, have to pay back their refund they got in 2005, which would be about $7,000 in addition to their normal taxes.

So by no means does this bill allow a free ride or any sort of ''double dipping.'' They still have to undo their casualty loss, but they will not be providing the IRS a windfall in taxes.

Finally, behind the numbers, it is important to remember that these are real people who have undergone a traumatic event, having their homes destroyed.

The Smith family, before Senator GRASSLEY and Senator BAUCUS came to their aid, would have had to pay over $24,000 in taxes. These families literally are struggling to pay their electric bill, their utility bills, trying to pay double mortgages, rent and a mortgage on a house trying to keep their house together. They could not have possibly come up with $25,000. That is what we have corrected it.

I thank this Senate for sending special care and attention to a group, hundreds of thousands of homeowners. It is not millions, it not tens of millions, but it is hundreds of thousands of homeowners along the gulf coast who would truly benefit immediately and correctly. This money will go into their pocket and hopefully they will be spending it on their new home or their new apartment or using it to pay back bills they had to charge to their credit cards to literally survive these last several years.

This bill also extends an important provision to spur investment in residential and commercial property along the gulf coast. In response to Katrina and Rita, Congress enacted legislation that would permit bonus depreciation on new buildings.

In order to take advantage of the bonus depreciation, investors needed to start construction on the property by December 31, 2007, and have the property placed into service by December 31, 2008, for lesser damaged counties and parishes and by December 31, 2010, for the most damaged counties and parishes.

However, replacing the basic infrastructure needed to begin this construction has been slow and difficult. New environmental standards, building codes, and the high price of insurance and labor have delayed new construction. Many projects are planned, but these delays have resulted in few actual construction starts.

This bill would simply remove the commencement date to ensure that the gulf coast can sustain and strengthen its recovery in the housing and commercial sectors. It does not change the completion date. By doing so, we can continue to build new residential and commercial properties that are necessary to our recovery.

I know this overall bill contains many critical parts to address our Nation's housing troubles but I thought that it was important to personalize how this bill will help thousands of people struggling to rebuild on the gulf coast.

I am very proud of the Senate. I do believe we should give tax relief when it makes sense. This most certainly makes sense. And $1 billion is a lot of money. I know we are struggling to balance our budget, but I think this was a very worthy expenditure. I thank Senator DODD again, thank Senator GRASSLEY and Senator BAUCUS particularly for remembering the families on the gulf coast and for helping them to achieve substantial tax savings by the passage of this bill. It will go a long way, with the other provisions in this bill, to help our recovery that is underway in the Gulf of Mexico.

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

The PRESIDING OFFICER (Mrs. MCCASKILL). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CALIFORNIA FIRES

Mrs. BOXER. Madam President, I rise today to express my deep gratitude to the men and women who are fighting the wildfires now raging in my magnificent State of California. Over the last month, a swarm of dry lightning storms sparked more than 1,800 fires across drought-ridden land in California.

Governor Schwarzenegger and President Bush have declared a state of emergency in 11 counties and crews are still working to bring under control over 300 fires burning across more than 600,000 acres of public and private land. Three hundred fires, and it is early July, and we do not get rain usually until November.

In the fight against these fires, support has come from all quarters, including the National Guards of 11 States. I say to my colleagues all: Thank you for your contribution. Help has come from the U.S. Marine Corps, the Navy, even from NASA.

I give special thanks to the more than 18,000—18,000—local, State, and Federal firefighters who have put their lives on the line over the last several weeks and continue to do so to fight these fires and protect our communities.

The people of California owe a tremendous debt of gratitude to the brave men and women of CalFire and the U.S. Forest Service as well as the California National Guard and all of the local fire departments who have gone above and beyond the call of duty in fighting these fires.

Your courage and swift action during this recent series of firestorms have truly been heroic. You have risked your health and your well-being for the benefit of our people, of our communities, and we are all grateful. You are the heroes.

Some 233 firefighter injuries have been reported in the past few weeks—233 firefighter injuries—and that is a testament to the great personal risk these men and women undertake every day. These fires are unpredictable. The winds are unpredictable, and the danger shifts at a moment's notice.

I am sad to report that these fires have claimed the life of one of our firefighters. Robert Roland, who had been with the Anderson Valley Volunteer Fire Department in Mendocino County for only 3 months, passed away on July 3, 2008, battling wildfires near the town of Philo. He was 63 years old—a volunteer firefighter.

One of America's greatest strengths is its spirit of voluntarism, and nowhere is that spirit more evident than in the tradition of volunteer firefighting.

We mourn his loss, and we remember and give thanks for his selfless efforts and those of all the firefighters—volunteer and professional—who put their lives on the line throughout California.

The scale of these fires so early in the year is a stark reminder that we cannot afford to shortchange our fire preparedness. Being prepared means making sure adequate resources are available to fight and prevent fires. That is why I have consistently fought against the proposed cuts to the Assistance to Firefighters Program. This program provides Federal grants for equipment and training to local fire departments and emergency medical services organizations. I do not think you need to look farther than the efforts being undertaken to save lives and protect communities right now in California to understand that those proposed cuts are wrongheaded.

Preparedness is about more than funding. It also means making sure we have a fully staffed firefighting force on our public lands.

I am concerned about the reports of inadequate staffing in our national forests in California. Earlier this year, I called on the U.S. Forest Service to resolve the pay disparities and retention issues that have prevented them from recruiting and keeping qualified Federal firefighters in California.

We also need to support the State and local efforts in order to manage

the risk posed by wildfires. One of the keys to preparedness is hazardous fuel reduction. Local communities and State agencies that do their part to remove hazardous fuel on local and State lands should not be left at risk for fires because inadequate funds limit hazardous fuel reduction on Federal lands.

The Federal Government must be a good partner in not only fighting the wildfires but in preventing them. That is why I have urged that we include $910 million for U.S. Forest Service and Interior Department firefighting and fire prevention efforts—including efforts such as hazardous fuel reduction—in the legislation that Congress is expected to take up this session to address critical domestic priorities.

The unprecedented onset of the fire season in California is an important reminder that we cannot afford to continue reducing the resources available for disaster preparedness and expect emergency responders to still be able to effectively protect our communities.

They are exhausted. They are working overtime and more. I want to read from a letter I am sending today to President Bush. I wrote this letter after speaking at length with my Governor, Governor Schwarzenegger:

With over 300 fires still actively burning in California, I am writing to request that you immediately allocate additional resources to assist with ongoing firefighting efforts throughout my state. Governor Schwarzenegger has informed me that an additional 41 helicopters, 302 hand crews, 616 fire engines, and 773 support personnel are urgently needed to help the thousands of Federal, State, local, and volunteer fire fighters who are working so hard to protect our communities from these dangerous fires.

Governor Schwarzenegger also informed me he plans to call up as many as 2,000 more members of the National Guard in addition to the over one thousand members that are currently supporting fire fighting activities. In order to ensure that our National Guard is ready for this mission, I request that the Administration make available out-of-State Federal firefighters to help train National Guard members for fire fighting duties. Active fire crews are currently being taken away from the front lines of fires to train National Guard members, but if Federal personnel were on scene to help train new arrivals, our crews could continue to fight active fires.

I might say what is happening is we are taking firefighters off the line to train the National Guard because they need to be extensively trained in firefighting, and we need to get those firefighters back on the line. So if we could have some Federal firefighters sent in, we would be able to keep these firefighters on the line.

The Governor has also informed me that he requested the U.S. Forest Service's Maximum Efficiency Level be increased to 100 percent for the current fire season in California. This will allow Federal incident commanders to make tactical firefighting decisions as needed to protect lives and homes without having to receive prior approval from the Office of Management and Budget. I strongly support his request and urge you to grant it immediately.

This unprecedented start to the fire season in California has put incredible stress on the State's resources and on the brave men and women fighting these fires. While the support provided by the Administration has been very helpful thus far, the severity of the ongoing fires and the strong potential for more fires indicates an urgent need for additional resources and support.

The residents of California need the Administration's continued assistance and cooperation in protecting their lives and property.

Madam President, this is one Nation under God, and we know that, and we say it when we pledge allegiance every day here.

The fact is, we need to come to the aid of our citizens, whether it is in the devastating floods in Iowa or it is Hurricane Katrina or it is the fire that I well remember in North Dakota or what is happening today in California.

We must work together. I want to say right now that I will be making a call to the head of Homeland Security, Mr. Chertoff. I hope he has heard my words. I hope he has received a copy of my letter. We are going to need this help quickly. We expect—and this is right from my Governor—about a 5-month problem here. This is not going to be a momentary problem. We need a long-term commitment from everyone in order to save lives and save property and allow our firefighters a little bit of rest, because when they are exhausted, their lives are put in danger, and we cannot have that.

I thank you very much for the time, Madam President, and I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, I ask unanimous consent to speak as in morning business.

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

Ms. STABENOW. Thank you, Madam President.

THE ECONOMY

Madam President, I come to the floor after reading something I find very shocking. This is evidently in an interview with the Washington Times, referred to today by Jonathan Weisman. It has this quote. Former Senator Phil Gramm, a top policy adviser of Senator JOHN MCCAIN's, said the Nation is in a ''mental recession,'' not an actual one, and suggested the United States has ''become a nation of whiners.''

Senator MCCAIN is in my State of Michigan at this moment today. I certainly want to go on record here on the floor of the Senate to say that the people of Michigan are not whiners. The people of this country, who have seen their jobs slip away—over 325,000 jobs since January, good-paying American jobs—are not whiners. People have seen gas prices going up and up and oil prices doubling over the last 10 months. This is not a nation of whiners. We are seeing food costs go up, health care costs go up, gas prices go up, everything in people's lives going up. Every middle-class family, every family in America is struggling while they see their wages go down, if they have a job at all. This is not a nation of whiners; this is a nation of tough people trying to survive, Americans who believe in this country, who believe in the American dream, who are fighting to keep their way of life in this country today.

Mrs. BOXER. Madam President, will my friend yield for a question?

Ms. STABENOW. I will be happy to.

Mrs. BOXER. I am just stunned that Phil Gramm, who is a top adviser to Senator MCCAIN—would you repeat exactly what he said?

Ms. STABENOW. Yes. I would be happy to. He said the Nation is in a mental recession, not an actual one, and suggested that the United States has become a nation of whiners.

Mrs. BOXER. Let me get this straight. Senator MCCAIN's top adviser—one of his top advisers on the economy—says we are in a mental recession, there is no actual recession, and we are whining about it.

Ms. STABENOW. Right, absolutely.

Mrs. BOXER. Let me ask my friend, what does she hear in her State about gas prices from her constituents?

Ms. STABENOW. Madam President, I thank my friend from California, who comes to the floor and fights every day on behalf of middle-class Americans and people struggling to make it. We in Michigan have the highest unemployment rate in the country—8.5 percent as of the last numbers. So people are losing their jobs.

Mrs. BOXER. Is that mental? Do they just think they are unemployed but they are really employed? What is he talking about?

Ms. STABENOW. The Senator from California is absolutely right. The fact is that folks who are losing their jobs or who are seeing their wages cut in half are seeing gas prices go up and up and up.

We have had two oilmen in the White House for 8 years, and we have had now the highest gas prices we have ever had to pay while they protect oil profits, oil company profits over and over again. This is not an accident, what has happened here. I think it is almost too obvious. We have two oilmen in the White House, and we are in the situation we are today, with families struggling to get to work, to get the children to childcare, maybe to go on a vacation, who can't hold things together, and they are looking around, saying: What in the world is happening? Now, we are hearing from a top adviser of someone who wants to be the next President that this is a mental recession and that we are whiners.

Mrs. BOXER. Will my friend continue to yield?

Ms. STABENOW. I am happy to.

Mrs. BOXER. I didn't expect to stay here and engage my friend, the Senator from Michigan, but when she read this—I know what her State is going through, and I have to say that California is suffering as well. If it were not for the fact that we have seen companies invest in alternative energy, and that is taking some of the jobs—

and thank goodness—away from a crumbling housing industry, we would be in worse shape. We are not in good shape in California. We have real problems.

My friend from Michigan makes a good point. Two men in the White House—and I remember when George Bush was running in the beginning and saying: Well, put two oilmen in the White House, and we will see how we will deal with gas prices. Well, we have seen.

Is my friend aware that since George Bush and DICK CHENEY—two oilmen—took over the White House, we have seen about a 255-percent increase in the cost of gas per gallon? Is my friend aware of that?

Ms. STABENOW. I am aware of that. It is outrageous. It is so stunning that this would be happening and be so obvious in terms of allegiance.

Mrs. BOXER. Let me ask one more question, and then I will leave her to the rest of her remarks. I know she has some thoughts she needs to share. As Phil Gramm, the economic adviser to JOHN MCCAIN, says that Americans are whining, we all know that the middle class is suffering, as the Senator from Michigan said, not just from gas prices but as a result of food prices, health care prices, credit card rates. There is a middle-class squeeze going on that is hitting our people very hard, and they are falling behind by thousands of dollars a year because of increased prices. Now, Phil Gramm, he doesn't feel the pain. He probably is in the top one-tenth of 1 percent of income earners, let me say.

I wish to ask my friend, and then I will leave her to her speech, does she know how much the head of ExxonMobil made this year?

Ms. STABENOW. Well, I know this: I know ExxonMobil has made the highest profits of any company ever in the entire world. I don't know the exact number, but my guess is that it is a lot more than people in Michigan are making.

Mrs. BOXER. Well, the CEO, the chief executive officer of ExxonMobil, according to my information, including his last paycheck and bonuses and the rest, made $400 million in 1 year. So no, he is not whining, and Phil Gramm is not whining. That is obvious. They are the winners in this economy with two oilmen in the White House.

I wish to thank my friend.

Ms. STABENOW. Madam President, I so much appreciate my friend from California and her advocacy on a daily basis on this floor for people who are feeling the squeeze on all sides.

We are seeing a situation in this country where, frankly, most middle-class families, as well as small businesses and large businesses and those who want to do business in this country, just can't take any more. We are at the limit right now of what we can absorb in terms of higher and higher costs on people every day, with lower and lower wages, maybe losing a pension, maybe losing your health care.

What we have seen over the last 8 years is the creation of a race to the bottom in a global economy, a race to the bottom where the average American is told: If you only work for less, pay more in health care, and lose your pension, maybe we can be competitive. As Democrats, we believe in a race to the top. As Democrats, we believe it is critical that we address the squeeze middle-class families are feeling if we are going to have an economy.

What has made us strong among nations around the world is a strong, vibrant middle class, folks who can have the American dream, who know they can have that job. In Michigan, it is to have a home and maybe a little cottage up north or a boat to go around the beautiful Great Lakes and enjoy fishing and hunting and know they can send the kids to college—all of those things that have meant the great American dream for families in America. It is slipping away because of the policies of the last 8 years, not paying attention to what is happening to our global economy and making it worse by, in fact, protecting those whose profits are getting higher and higher at the expense of middle-class Americans.

So I would just say that to hear we are a nation of whiners from someone who is advising someone who wants to be the President of the United States—alarm bells should be going off to every single person who drives up to a pump today and has to pay somewhere between $4 and $5 a gallon for gasoline or goes to the store and sees the price of milk going up and bread and everything else they need to feed their family or sees their costs of health care going up, if they are fortunate enough to have health care alone.

So I certainly invite Senator MCCAIN to come to my State of Michigan as many times as he would like, and I hope he listens very, very hard. I hope he doesn't hear it as whining. I hope he hears it as a sign of proud, patriotic, America-loving people who just expect decisions here in this Government to be made in their best interests, not in the best interests of oil companies or credit card companies or insurance companies that aren't willing to cover their health problems. People want to know that, in fact, their families will be put first for a change. That has not happened in the last 8 years. We certainly don't need more of that.

Frankly, when I look at the gas price situation alone, I must say, if I remember correctly—and I will check this for sure—if I remember right, the gentleman who now calls us a ''nation of whiners'' actually authored language that began to deregulate the energy markets back in 2000, which has actually created much of the situation we are in today, with lack of accountability and transparency and gas prices, oil prices, going up and up and up.

The people of this country have had enough, and they expect us to work together in their interests. They expect that we will put them and their families first, that we will do everything possible to create a climate where they can get a good-paying job and work hard every day and know that if they play by the rules in America, they are going to be able to have a better life for their children than they have had for themselves. That is all on the line right now in America because of what has been happening in the last 8 years.

We are not a nation of whiners. America is going through tough times. Even though times are tough, so are we. We are tough, resilient, hard-working people. I am proud of the people of my State who are working hard to keep their heads above water, to keep their families and their houses, to be able to keep some kind of an income coming in in the midst of all of this. I am proud to fight for them every day, along with a caucus that understands what is happening and which is going to do everything we can to turn this around.

I ask unanimous consent that following my remarks, Senator GRASSLEY be recognized to speak, to be followed by Senator PRYOR.

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

Ms. STABENOW. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The first assistant bill clerk [William Walsh] proceeded to call the roll.

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

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

CHANGES IN THE TAX SYSTEM

Mr. GRASSLEY. Madam President, as the upcoming Presidential election approaches, we are learning more about changes each of the major candidates would make in our tax system.

Most of the attention in this regard is going to issues such as income tax rates, corporate tax rates, and the alternative minimum tax. These are very important parts of our Tax Code and do deserve the attention they are getting—particularly in a Presidential race—because then you have an opportunity not only to state your views but to educate the public about the complications of the Tax Code. This is what the public needs to know more about.

Now, my purpose for coming to the floor, too, is to discuss some of the lesser known parts of the Tax Code that are becoming part of the Presidential debate on taxes. Changes made in these areas can still make big differences in what citizens pay to the Government every year.

I am here to discuss what is termed the ''Pease limit,'' the overall limitation on itemized deductions. That name comes from a Member of Congress probably 20 years ago who thought up the term. Then the word ''PEP'' is a phaseout of personal exemptions. So we are talking about a

part of the Tax Code that does things in a stealth way to make people pay higher marginal tax rates, even though the law would say that the marginal tax rate is only 35 percent—or in the case of Senator OBAMA's proposal, 39.6 percent. But yet when you put limitations in there and a phaseout of the personal exemption, you have a higher marginal tax rate, but it doesn't look very—it is not transparent.

So PEP and Pease were originally enacted by a Democratic Congress as a way of evading the first President Bush's refusal to raise the top statutory tax rate. By phasing out the personal exemption and itemized deductions for upper income taxpayers, the Democratic Congress was able to enact a kind of backdoor tax increase. However, in 2001, when I became chairman of the Senate Finance Committee, Congress reduced PEP and Pease in order to reduce taxpayer confusion and minimize inequalities based on a taxpayer's understanding of the law. But from my point of view, I figured if you are going to have a higher marginal tax rate, you should not camouflage them. You ought to simply say, instead of a 33 percent marginal tax rate, we are going to have 36 or 37 percent. Maybe for people who have income from subchapter S, it is even higher than that. Why not be honest with the taxpayers and say what the marginal tax rate is, instead of hiding it in this camouflaged way called PEP and Pease?

That bipartisan simplification was done at the recommendation of the nonpartisan Committee on Taxation to get around a principle that was put in place—or that recommendation was carried out by the nonpartisan Joint Tax Committee because we ought to be very transparent in our tax laws.

Despite this, those who see more Government spending as the solution to all the problems are desperate to seize more money from the American taxpayers.

We are hearing rumors of let's go back to camouflage. The junior Senator from Illinois would need more money to fund all the promises he is making. Restoring the phaseouts for itemized deductions and personal exemptions seems a likely source of some of that money. In discussing the tax proposals of the likely Democratic nominee, I am referring to a publication titled ''A Preliminary Analysis of the 2008 Presidential Candidates' Tax Plans.'' This was prepared by an organization called the Tax Policy Center. The Tax Policy Center is a joint venture of the Urban Institute and the Brookings Institution, both well-respected think tanks.

According to this publication, my distinguished colleague from Illinois would restore PEP and Pease. In other words, he would bring less transparency to what is a higher marginal tax rate. That is, he would restore the phaseouts and the complexity they would mean for millions of tax-paying families. However, it is also noted that he would set an increased income threshold of $250,000 for married couples filing jointly. This is consistent with the candidate's stated goal of targeting tax breaks to low- and middle-income taxpayers while shifting more of the tax burden on the higher income taxpayers.

If your family makes less than $250,000 a year, you might think this sounds like a good deal. For singles, the threshold for phaseout of personal exemptions would probably be lower, but the phaseout of itemized deductions would not vary with the filing status if current law is followed.

As an aside, the proposal of the distinguished junior Senator from Illinois would create a new marriage penalty. For those considered by the Senator from Illinois to be low- and middle-income taxpayers, the idea of raising taxes on other people might sound like a good idea but hold on.

On March 14 of this year, this body approved a budget with 51 votes. One of those 51 ''yea'' votes was cast by the Presidential candidate from Illinois. That same Senator voted again for the budget on June 4, when the Senate voted on that conference report. I am not sure if he is not communicating with the rest of the Democratic caucus or was too busy campaigning to become completely familiar with the budget. But he is making promises that the budget he voted for will not allow.

The budget passed by Congress earlier this year would protect taxpayers in the 10-percent and 15-percent brackets but would subject filers in the 25-percent bracket and brackets above to these camouflage provisions I have been talking about that we call PEP and Pease. To get an idea of what this means, I wish to walk through the 25-percent bracket, the 28-percent bracket, and the 33-percent bracket.

These particular brackets are important because they contain families with less than $250,000 in income and singles with less than $125,000 in annual income. It has been implied that the junior Senator from Illinois would protect these filers from tax increases as President. But restoring PEP and Pease provisions within the confines of this year's budget would subject filers in these brackets to this backdoor camouflage, the less transparent tax increase. The Senator from Illinois may say he is going to protect families earning less than $250,000 a year, but the budget he voted for will not do that.

According to the Internal Revenue Service, single individuals falling within the 25-percent bracket in 2008 start at taxable income of more than $32,550. That is not a high-income person. They earn taxable income of no more than $78,850—in a lot of places in this country, that is not a very high income. It is high for my State of Iowa, but it is not high for a lot of States. Singles in the 28-percent bracket will earn taxable income of more than $78,850 but less than $164,550. The important number is $125,000. If that many filers in the 25-percent and 28-percent brackets make less than that, based on the Democratic budget, these taxpayers would be hit with a PEP and Pease camouflage, less transparent rates of taxation.

Looking at the brackets for married filing jointly for the 2008 tax year, according to the IRS, married filers in the 25-percent bracket will start at a taxable income of more than $65,100. Taxpayers in this bracket will earn taxable income of no more than $131,450 annually. In the 28-percent bracket, they will earn taxable income of no more than $200,300. For the 33-percent bracket, married filers filing jointly will earn no more than $357,700 but more than $200,300. For married individuals filing jointly, the important number is $250,000.

Filers in the tax brackets I have walked through may expect the Senator from Illinois to protect them from tax increases if he is elected President. But the budget he voted for earlier this year makes that impossible.

As I said, the reinstatement of PEP and Pease amounts to a backdoor tax increase. I say backdoor because it increases the effective rate for many filers without really increasing the statutory tax rate. That is why it is camouflaged. That is why it is less transparent. And if you want to increase taxes, you ought to have guts enough to say what is the real marginal tax rate and put it in the tax laws, just like the 25, the 28, the 33, and the 35 are now.

For a family of four, this backdoor tax increase would be significant. If your family falls in the 25-percent tax bracket, according to the Finance Committee Republican staff analysis from March 2001, PEP and Pease could make your actual rate 26 percent. We can see the difference between the green line and the red line is when you are hit with PEPs and Peases. Your tax increase is going to be at a higher rate than what your tax form really says it will be. Again, why camouflage it?

The news is even worse—and I will have charts on this point—for filers in the 28-percent bracket and the 33-percent bracket. In the 28-percent bracket, a family of four could pay a real tax rate of 32 percent. So if you want people of that tax bracket to actually pay 32 percent, why don't you have a tax bracket that says it instead of camouflaging it? A family in the 33-percent bracket, as we can see in the next chart, a family of four could pay a rate of 37 percent. Again, the difference between the 33 is what you are told in your tax rate chart you are going to pay, but as a practical matter, you are paying 4 percentage points higher.

I end by stating that I believe taxes are a necessary part of life. We all benefit from the services our Government provides, and that Government needs money to function. We collect that money from taxes. However, I think our tax system should be transparent

and honest, not camouflaged. Raising money by limiting personal exemptions and itemized deductions is not transparent. As I have said, it amounts to a backdoor tax increase. If anyone thinks people should hand over a greater percentage of their income to the Government, that person should openly advocate increasing statutory rates.

I am also concerned that many people around the country may be relying on the latest campaign position of the junior Senator from Illinois. That latest campaign position says he intends to protect low- and middle-income tax filers from tax increases. Right now, he is at odds with his own party and with a budget for which he voted. I bet that being subjected to a backdoor tax increase is not the sort of change most Americans believe in, to say nothing of restoring what the nonpartisan Joint Committee on Taxation stated was a very serious source of complexity for the American taxpayers, a complexity we took out in the 2001 tax bill.

A series of correspondence has gone back and forth between the Republican and Democratic leadership regarding the extension of expiring tax provisions and energy tax incentives. On July 3, Leader MCCONNELL sent a letter to the majority leader urging that he work with us to find areas of bipartisan agreement in order to break the current impasse over extending time-sensitive provisions that we call extenders, both for energy and the other category of extenders, such as R&D tax credits, an example of about 40 that have to be extended.

On that day, the majority leader responded in a fairly sharp manner:

While I am pleased the Republicans appear to have abandoned their fiscally irresponsible ways when it comes to the extenders bill, it is hard to comprehend why Senators McConnell and Grassley would choose to cut programs to help working families, seniors and veterans in need of health care in Kentucky and Iowa in an effort to protect multinational corporations and hedge fund managers.

On a preliminary point, in all the back and forth on this issue, I have not criticized the majority leader by name. In the tensions that come in Senate debate and the political environment, I think it is best to stick to that course. So I am disappointed that the majority leader did not keep the discussion on that level.

With all due respect to him, he seems to have misread the letter, so I will set the record straight on a couple of important points.

First, a simple extension of expiring tax relief, including extension of the AMT patch, should not be offset with accompanying tax increases. This does not mean we are opposed to offsetting the revenue loss from new tax relief policy with spending reductions or revenue raised from tax proposals that are grounded in good tax policy.

Then my second point. The distinguished majority leader accused Leader MCCONNELL and me of protecting hedge fund managers. This is simply not the case, which I will demonstrate. In fact, the House extenders bill contains an offshore deferred compensation proposal.

This proposal that the Democrats actually support allows these same hedge fund managers a very generous tax break that is not available to the average taxpayer. The House-passed hedge fund proposal allows these hedge fund managers to avoid paying taxes on their offshore deferred compensation if they make a cash donation to a charity equal to 100 percent of the amount of the offshore deferred compensation. Meanwhile, the average taxpayer is limited in how much they can deduct even for contributions to charity. They can only deduct charitable contributions if those contributions do not exceed 50 percent of their adjusted gross income. So if a teacher donated his or her entire salary to charity, he or she would only be able to claim about half of that as a deduction. But a hedge fund manager who sheltered income in the Grand Caymans would be allowed to claim a deduction for the entire amount of his or her sheltered income.

I want to make it clear, not only do I support the policy of changing the tax treatment of offshore deferred compensation for hedge fund managers, but I would make sure that we corrected the giant loophole that came over here from the House of Representatives benefiting hedge fund managers. We should make sure that if we are going to tax the deferred income, we do not leave an escape hatch in the future.

With respect to the spending cut allegation, the majority leader's comments again, with all due respect, implied that he has not read the Republican leader's letter correctly. The Republican leader's offer to break the stalemate does not pit spending cuts for benefits for working families, for seniors, for veterans against expired tax relief provisions. The spending described in the letter is for unspecified and unwritten appropriations bills as far as 10 years in the future. The general spending account identified represents the excess of new future spending levels over the current levels for nondefense discretionary spending plus inflation. None of the current-law levels of these categories of spending would be cut. What is more, the Republican leader's offer would leave intact nearly all of the $350 billion in new extra spending. On its face, it is an extremely modest revision of this extra spending.

I ask unanimous consent to have printed in the RECORD a copy of the letter from the Republican leader and the majority leader's response.

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

MCCONNELL PROPOSES COMPROMISE TO EXTEND TAX RELIEF, ENERGY INCENTIVES

WASHINGTON, DC.—U.S. Senate Republican Leader Mitch McConnell sent the following letter to Speaker Nancy Pelosi and Majority Leader Harry Reid on Thursday calling on Democrats to forge a compromise with Republicans to extend expiring tax relief in a deficit-neutral manner, without permanently raising taxes.

JULY 3, 2008.

DEAR MADAM SPEAKER AND MR. LEADER: This letter is in response to a letter from the House Democratic Leadership, dated June 12, 2008 and a letter from the Senate Leadership, dated June 13, 2008. Both letters deal with the legislation, H.R. 6049, which is designed to extend certain expiring tax relief provisions and energy tax incentives.

We object to some of the assertions in both letters about the position, record, and intentions of the Senate Republican Conference regarding tax increase proposals and the tax relief extensions. However, rather than respond to overtly coordinated election-year letters in a partisan fashion, we would like to focus on areas of bipartisan agreement in order to break the impasse on these time-sensitive tax matters.

The Senate Republican Conference places the highest priority on fiscal responsibility. We believe that deficit reduction should be considered with respect to all tax and spending proposals. However, the first step toward mitigating current adverse fiscal patterns is to do no more harm to the fiscal situation.

New spending increases the deficit, whether it be the expansion of discretionary spending or the expansions of entitlement spending. New tax relief is scored as increasing the deficit, even in instances where the resulting economic growth raises far more revenue than is estimated to be ''lost.'' Under Congressional budget accounting, however, the extension of expiring tax relief looks like it increases the deficit, while the extension of expiring entitlement spending does not. This does not make sense.

Legislation to extend expiring tax relief, including an extension of the alternative minimum tax (AMT) patch, and legislation to extend expiring energy tax incentives all enjoy overwhelming bipartisan support. Few would dispute the merits of continuing these tax relief provisions. Indeed, with these bipartisan tax relief provisions in place, aggregate Federal tax collections have yielded revenue above the post World War II average of 18.2 percent of gross domestic product. Since these tax policies have yielded revenue above the historic average, we see no reason to condition their extension on new tax increases.

The conference report on the 2009 budget resolution increases non-defense discretionary spending by $25 billion above the President's request in 2009. When these amounts are enacted, they will be perpetuated in the baseline and will result in $350 billion in higher deficits over the next ten years. The deficit effect of this new spending cannot be ignored. It is surely as much of a fiscal burden as $350 billion in tax policy extensions.

As a compromise, we suggest the following. The Senate Republican Conference will agree to offset the revenue lost from new tax relief policy with spending reductions or revenue raised from appropriate tax policy proposals. In exchange, the House and Senate Democratic Leadership would revise the desired new non-defense discretionary spending in the 2009 Congressional budget downward to a level sufficient to offset the cost (relative to the Congressional Budget Office baseline) of extending expiring tax relief. If agreed to, extension of expiring tax relief, including extension of the AMT patch and expiring energy tax incentives, could be accomplished in a way that achieves your stated goal of being deficit neutral, but without the unstated and unwarranted result of increasing the size of the federal government.

The Senate Republican Conference is committed to, as the letter from the House

Democratic Leadership states, ''enacting legislation extending tax relief to businesses and families in a fiscally responsible manner.'' We look forward to working with our friends in the House and Senate Democratic Leadership on this time-sensitive legislation.

Sincerely,

MITCH MCCONNELL,
U.S. Senate Republican Leader.

U.S. SENATE,
Washington, DC, July 8, 2008.

The Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate,
Washington, DC.

DEAR LEADER MCCONNELL: Thanks for your recent response to the letter I sent you June 13 regarding extension of the expiring tax provisions and energy tax incentives.

Let me begin by saying I strongly share your hope that the Senate can work out a bipartisan solution to extend these important tax incentives before the August recess. Such action is as important as it is long overdue.

Although you have voted twice against just such a package, I did note that your July 3rd response contains one potentially positive thought that may make such a solution more likely. As you know, under this Republican President and a Republican-controlled Congress, the nation's debt and deficits reached historic levels. Record budget surpluses were transformed into record deficits and the nation's debt grew by more than $3 trillion. Much of this was caused by the fiscally irresponsible decision to cut taxes and increase spending without corresponding offsets. Your July 3rd letter appears to indicate you are now ready to set aside your fiscally irresponsible ways when it comes to extenders and adhere to pay-as-you-go budget rules Democrats enacted at the beginning of the 110th Congress.

Unfortunately, rather than accept the noncontroversial offsets contained in the bipartisan legislation passed by the House and the substitute put together by Senator Baucus, your letter indicates Senate Republicans believe we should instead jeopardize important investments in our nation's health, energy, and infrastructure sectors. Both the House-passed and Baucus substitute bills rely on the same two offsets—one ends the use by hedge fund managers of offshore accounts to avoid paying taxes and the other merely extends an existing delay in the implementation of interest allocation rules for multinational corporations. Neither provision has generated opposition from the affected industries and both are far preferable to cuts in health care, energy, and infrastructure programs that would harm Kentucky and many other states.

Despite your apparent decision to protect hedge fund operators over critical national priorities, I remain committed to taking up and passing bipartisan legislation to extend important tax incentives before the August recess. The fate of this legislation rests in your hands. I hope you and those in your caucus who have blocked the Senate from passing this legislation twice earlier this year will reconsider your opposition and join Democrats to extend this much-needed tax relief.

Sincerely.

HARRY REID,
U.S. Senator.

Mr. GRASSLEY. Madam President, to put the matter in some perspective, I ask unanimous consent to have printed in the RECORD an article containing a summary of an analysis by noted economist Kevin Hassett, a senior fellow and director of economic policy at the American Enterprise Institute.

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

[From American Enterprise Institute for Public Policy Research, Feb. 11, 2008]

HOW GEORGE BUSH, BIG SPENDER, DESTROYED NIRVANA

(By Kevin A. Hassett)

If you could go back in time to President George W. Bush's inaugural address and add one economic statement, what would it be? For me, there is an obvious answer.

If Bush had promised in January 2001 that the baseline of government spending that he inherited when he took office would be the cap during his term, then we would have a big budget surplus today. It would have been easy to do. He just had to say: ''I will not spend one penny more than President Bill Clinton planned to. I will veto any bill that tries to.''

I have written before in this space that Bush has outspent Clinton by a mile. With government spending still out of control, the gap between where we are and where a disciplined nation could have been is getting bigger and bigger.

With a recession looming, the policy implications of the spending explosion are serious. If a deep recession occurs, we will have less wiggle room.

To see how different the world could have been, I gathered data from a number of sources and ran an alternative history. In that wishful place, government spending was set equal to the spending envisioned by the Congressional Budget Office in the January 2001 long-run forecast, plus the spending for the war in Iraq and to fight terrorism. This simulation assumes that the war would have happened in spite of Bush's spending promise, and wouldn't have induced him to seek cuts elsewhere.

The difference between that spending path and the one we are on is huge. Today, we expect federal spending in 2008 will be $2.9 trillion. According to the alternative history, spending would be $2.5 trillion.

SURPLUS FANTASY

With spending at the lower level, we would have a surplus of $152 billion if revenue were equal to what it is currently projected to be.

Running the simulation forward, the gap between revenue gets wider and wider. By 2017, we are scheduled to spend almost $1 trillion more than we would have if we had stuck to the Clinton baseline. With the low spending baseline we would have a surplus in 2017 of $1.1 trillion, instead of the $151 billion surplus that's currently forecast.

Think of it this way. If we now had the lower spending levels that Bush inherited, we could extend his tax cuts, repeal the alternative minimum tax, enact the current stimulus package, and still have a 10-year budget surplus of $1.9 trillion. And, remember, that allows spending to be adjusted up for the Iraq war and the war against terrorists.

Many observers might say this scenario is unrealistic. The 2001 long-run forecast covered both discretionary and mandatory spending. No administration, the argument might go, could have held the line on the growth of Medicare and Social Security spending.

HOLD THE LINE

There are two responses to that.

First, a president could always demand that spending be capped and that discretionary spending be reduced to offset unexpected increases in mandatory outlays. Social Security might be the third rail of American politics, but it might not be.

It has been changed before. Why couldn't it be changed again? Families do that all the time. If Johnny needs braces, then you take fewer trips to the restaurant.

The second response is perhaps more powerful. Let's see what happens when we allow mandatory spending to go up as it did. This lets Bush have his prescription-drug benefit, which is now part of mandatory spending.

If we had held the line on everything else that is discretionary, we could have had the prescription-drug plan, the Iraq war and the war against terrorists. We could have kept all the Bush tax cuts, made them permanent, repealed the AMT and added the stimulus package and still ended up with a balanced budget from 2008 to 2017.

BLOATED UNCLE

It makes you sick to think about it. All that money wasted on ethanol and bridges to nowhere has accumulated into a pile that massive. Uncle Sam ate a whopping helping of apple pie every day for seven years, and now he is obese.

This is important to bear in mind as we move forward to the general election. We don't have a deficit because of Iraq, or the tax cuts, or the drug benefit. We have a deficit because the government grew fat. We can't fix that with tax increases. Uncle Sam must go on a diet.

A simple way to start would be this: Whoever is elected president this November should pledge that he or she won't spend $1 more than we currently plan to. If Bush had done that seven years ago, we would be in a different world.

Mr. GRASSLEY. According to the analysis, if the last Clinton administration budget were the baseline, Federal spending would be $400 billion less than it is this fiscal year. Dr. Hassett's analysis accounts for spending increases for the global war on terror and related matters that were anticipated at the end of the Clinton administration. The analysis shows that other Government spending is trending $400 billion above where it otherwise would be.

In essence, the Republican leader's offered offset categories are future undefined spending budget room that did not materialize until the conference report on the budget was adopted a few weeks ago. Keep in mind that this new undefined future spending sits on top of a baseline that is, as Dr. Hassett's analysis shows, $400 billion higher than the trendline from the Clinton administration.

If the majority leader does not engage us on this deficit-neutral offer, then he is putting taxpayers in his State at risk for the loss of several deductions they used on tax returns for last year. Included are the sales tax deduction, college tuition deduction, and teachers' classroom expense deduction.

The latest IRS statistics of income data on the number of families and individuals claiming these benefits for the States of Nevada, Kentucky, and Iowa will appear in the RECORD after my discussion.

The tradeoff is clear. Deal with these tax benefits which affect taxpayers now. Offset them with undefined extra spending accounts for appropriations bills that will not be written until several years down the road under the present budget. All that can be accomplished without adding a penny to the Federal deficit.

I ask unanimous consent to have printed in the RECORD the IRS statistics of income data to which I earlier referred.

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

TABLE OF EXAMPLES OF NUMBERS OF TAX FILERS AFFECTED BY INACTION ON TAX EXTENDERS

	Nevada	Kentucky	Iowa
Sales Tax Deduction	327,532	54,602	50,163
College Tuition Deduction	32,800	45,713	48,895
Teachers Classroom Expense Deduction	22,789	39,735	35,238

Source: IRS Statistics of Income (2004 tax year).

Mr. GRASSLEY. I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. Madam President, I ask that I be allowed to speak as in morning business.

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

HONORING OUR ARMED FORCES

SERGEANT FIRST CLASS ANTHONY LYNN WOODHAM AND JUSTIN D. ENGLISH

Mr. PRYOR. Madam President, the acclaimed writer H.L. Mencken once said:

In war the heroes always outnumber the soldiers ten to one.

Today, I come to the floor to honor the lives of two of those heroes: SFC Anthony Lynn Woodham of Rogers, AR, and Justin English of Springdale, AR. Madam President, we lost Specialist First Class Woodham on Saturday when he paid the ultimate sacrifice while serving in Iraq on his second tour as a member of the 39th Brigade Combat Team. As a vehicle maintenance supervisor at Camp Adder in Talil, he kept American troops safe and their equipment and vehicles running. Throughout his 20 years of National Guard service, he also trained countless mechanics, instilling in them a strong work ethic, enthusiasm, and patriotism.

In 2004, Specialist First Class Woodham explained that a lot of solutions for maintaining equipment are not found in the training manual. He learned from trial and error and taught others the art of adapting and improvising in order to get the job done quickly and to get the job done right. For his leadership and his service, we are a truly grateful nation.

MGEN William Wofford of the Arizona National Guard said of Woodham: ''No words can fill the gap left by such a loss.'' I know those sentiments are also true for Specialist First Class Woodham's wife Crystal and three children, Patrick, 17, Mitchell, 11, and Courtney, 6.

Arkansas suffered another loss 11 miles away from Rogers, in Springdale, AR. The English family is mourning the loss of 25-year-old Justin English. A former Springdale firefighter and EMT, he went to Iraq for a larger mission—to protect United States personnel and installations in Iraq. A week into his mission—just a week into his mission—English's vehicle was struck by a roadside bomb near Baghdad on Monday.

Those who knew Justin describe his friendliness, positive spirit, and willingness to lend a helping hand. Janet English, his aunt, said he had always wanted to join the military, find adventure, and serve his country. Indeed, he gave his country all.

Arkansas continues to make tremendous sacrifices to defend freedom and protect the ones we love. We will never forget the sacrifices made by the Woodham family, the English family, and so many other grieving families who have lost their loved ones in combat. I urge my colleagues in the Senate to honor the service of these brave men and women and ensure our troops have the resources they need both while in combat and when they return.

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

The PRESIDING OFFICER. The clerk will call the roll.

The first assistant bill clerk proceeded to call the roll.

Mrs. MURRAY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AIR FORCE TANKER DECISION

Mrs. MURRAY. Madam President, 3 weeks ago, the Government Accountability Office issued a blistering decision about the Air Force's handling of one of the most important defense contracts in our history. The GAO found that in the competition between Boeing and the European company Airbus to replace our military's aerial refueling tankers, the contest was unfairly skewed toward Airbus from the very beginning. It said that but for the Air Force's prejudice, Boeing would have had a substantial chance of winning.

The GAO was clear and emphatic that the Pentagon should reopen the contract, get new proposals, and correct those errors. I rise today, because yesterday Defense Secretary Gates announced that he would follow the GAO recommendations and rebid that contract. I am very pleased that he says he is committed to a swift decision. But I have also been a close observer of the Pentagon's decisionmaking process for many years now, and I know the devil is always in the detail.

We do not know yet many of the details of this latest decision, and unfortunately I am already skeptical about whether the Pentagon is on track to get this right. The Defense Department has a high hurdle to clear in order to ensure this competition is fair and is transparent.

As I said earlier, the GAO raised serious questions about the Air Force's previous decision, and it described the competition as unreasonable, improper, and misleading. The GAO found that the Air Force changed direction midstream about what criteria were more important. It didn't give Boeing credit for providing a more capable plane, according to the Air Force's description of what it wanted, yet it gave Airbus extra credit for offering amenities it didn't ask for. It said the Air Force deliberately and unreasonably increased Boeing's estimated costs. And when that mistake was corrected, it was discovered that the Airbus tanker actually costs tens of millions of dollars more than Boeing's.

The GAO said the Air Force accepted Airbus's proposal even though Airbus couldn't meet two key contract requirements. First, Airbus refused to commit to providing long-term maintenance, as specified in the RFP, even after the Air Force asked for it repeatedly. Second, the Air Force could not prove that Airbus could refuel all of the military's aircraft according to procedure.

Those are very serious findings. It is still unclear whether the errors were due to incompetence or impropriety, but the result was that the military chose a plane that didn't meet the fundamental requirements that were set out in their own RFP. That cannot happen again. The Defense Department must do everything it can do to ensure that this competition is fair and transparent.

That means the Pentagon must go back to the original request for proposals. It must ensure that both of the companies get the same information throughout the entire competition. It must prove the tanker it selects can actually perform all of the missions that are required by the military. It must do a full accounting of all of the life cycle costs of flying and operating both planes. And it has to ensure that the companies can only earn credit as it was spelled out in the original RFP.

That last point is extremely important. In its decision last month, the GAO said the request for proposals was crystal clear about what kind of tanker the Air Force needed. Yet I have already heard that the Defense Department plans to reevaluate the life cycle costs of both tankers using a 25-year lifespan instead of a more accurate 40 years. It wants to revise the RFP to give greater benefit to a larger plane, even if that means the tanker it buys is not capable of meeting its own mission. That fundamentally changes the rules of the procurement and is not what is in the original RFP.

I am very concerned about both of these proposals. Changing the rules of the game when we are in overtime is simply going to result in a repeat of the last contest—an unfair result, more protests, and more delays. I look forward to hearing a thorough explanation from the Defense Department about how it is going to carry out this new competition and how it is going to ensure that this contract is finally fair.

Finally, I agree with Secretary Gates that it is vitally important that we move quickly to finish this contract. Air men and women who fly out of Fairchild Air Force Base, in my home State of Washington, fly these tankers.

I know they need these planes. They need them now. But we also have to do this the right way. We have to have a competition that is not overshadowed by questions of ethics or competence. If we don't, we risk another challenge that is going to draw out this procurement process even further.

Even more importantly, we have got to get the right plane. Our aerial refueling tankers—the ones we are talking about with this contract—are the backbone of our global military strength. They are stationed today across the world, and they refuel aircraft from every branch of our Armed Forces. Before our taxpayers spend $35 billion, they deserve to know the planes we are buying can actually refuel our military's aircraft. Our service members deserve to know they are getting a plane that will enable them to do their jobs and return home swiftly.

I welcome Secretary Gates' announcement yesterday that this contract is going to be rebid, but I remind all of my colleagues—those of us who have watched this procurement process for many years now—to follow the bouncing ball and see where it leads. We are going to follow this carefully. It needs to be rebid with the original RFP, not changed in overtime, to make sure this is a fair contract that results quickly in making sure our air men and women get the right aircraft as quickly as we can possibly bring it to them.

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

The PRESIDING OFFICER. The clerk will call the roll.

The first assistant bill clerk proceeded to call the roll.

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

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

Mr. BROWN. I ask unanimous consent to speak as in morning business for up to 10 minutes.

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

SHUTDOWN OF DHL

Mr. BROWN. I share with my colleagues some bad news from my State that I hope turns into better news; that is, there is a company in Ohio called DHL. It is an airfreight company. They are the second-largest, single-site private employer in Ohio next to the Honda Corporation in Marysville and other nearby places.

DHL is in Wilmington, Clinton County, southwest Ohio, where some 8,000 people work pretty much in one facility in Clinton County. Wilmington is the county seat of Clinton County. Wilmington is the home of Wilmington College, a Quaker school, a wonderful private 4-year institution in southwest Ohio.

Wilmington has only 13,000 people living there. This company, DHL, employs close to 8,000, through a couple subsidiaries, a couple people they contract with there, ABX and ASTAR. The announcement to close by the owner of DHL, a German company called Deutsche Post, which I believe is the largest freight company in the world and which used to be the German Post Office but now is a privatized company, will have a devastating effect on this region and these people.

Deutsche Post owns many facilities of all kinds around the world; one of them is DHL. They made a decision to shut DHL down in Wilmington, a loss of up to some 8,000 jobs. I was in Wilmington last week, conducted a roundtable, listened to the concerns of pilots and material handlers and clerks and computer operators and mechanics and engineers and all kinds of people who fly the planes and service the planes and move the baggage, often in the middle of the night. There are local farmers who work there part time who get health care, there are very skilled pilots, there are very skilled machinists and mechanics.

DHL is everything to a community of 13,000. Those 7,000 to 8,000 employees live all over southwest Ohio, obviously not all of them in Wilmington or in Clinton County. Many of them live in Hillsboro, Highland County; some live in Brown County and Adams County and Hamilton County and Montgomery County and Clark County and Green County, all over southwestern Ohio.

We are not just accepting this tragedy as is. The mayor, Mayor Raizk, Governor Strickland, Lieutenant Governor Fischer, the development director, Senator VOINOVICH, Congressman TURNER and I and others are banding together to fight this perhaps as an antitrust violation, perhaps in some other ways that we are working to try to stop this from happening.

The contract has not yet been signed. We are hopeful that DHL, that Deutsche Post, this German company will, in fact, listen to us and listen to proposals from ABX and ASTAR to stop the bleeding, if you will, to keep these jobs here. They have been productive. They took over a company called Airborne Express 4 years ago. The State of Ohio and Governor Taft in those days put together a $400 million package for them. We thought it was the start of a long friendship, a long relationship between Deutsche Post and DHL and the community of Wilmington, the County of Clinton, and the State of Ohio. We have been disabused of that notion, at least temporarily. We hope something better comes of it.

What I wish to share today is the background. I wish to share for 4 or 5 minutes some e-mails I received. I asked people in Clinton County, in Brown, Adams, Highland, Montgomery, Clark and Green Counties to share with me on my Web site what this closing might mean to them and what this company means to them and to their prosperity and their middle-class lifestyle and all that.

I told them I would read some of these on the Senate floor. Last week when I had a roundtable discussion with about 20 people, we talked about many of these issues. I wish to share with you today some of these, three or four of these entries, if you will, from statements written by people who are affected directly.

I am not going to share the name. I think I probably could, I think they gave us permission, but I will share their hometown. This gentleman from Wilmington wrote:

I am in my 15th year as a pilot with DHL/ASTAR. I was hired by DHL Airways in January 1994 after serving as a C–5 pilot in the United States Air Force. DHL later became ASTAR Air Cargo due to U.S. Airline ownership laws. The airline pilot's career is based on seniority; there are no lateral moves to another airline. Losing my job with ASTAR due to Deutsche Post's forcing DHL to use UPS [that is what actually happened here] will result in the loss of not only my job but the loss of my career. I do not have enough years left, due to mandatory pilot retirement age at 65, to restart a commercial pilot career with another airline and regain the salary I earn now. I also own property in Wilmington based on working for ASTAR Air Cargo. As these jobs go away my property approaches being worthless and makes it likely I will have to turn it back to the bank. The DHL deal will destroy many careers, families, and create a duopoly in the U.S. Express shipping industry, driving down competition, driving up costs for business and for consumers.

A lady from New Vienna writes:

I know you are well aware of what is going on in Wilmington with ABX/DHL. But you probably do not have any idea what it is already doing to all of our workers. Our morale is at an all-time low. We already know our time is short, but DHL is cutting the rope shorter and shorter. I really do not know how much more some of the people can take. I have heard of many problems in marriages already. I know of many husband and wives who work out there, my husband and I included.

The majority of us on days are full-time employees and are scheduled to work 8-hour days. As of today, DHL has dictated that whenever our work is finished we are to leave whether we worked 6 hours, 7 hours or 8 hours.

My husband and I were planning on taking whatever we could out of our last paychecks and put away because of what awaits us. Now we are not even allowed to stay and get our 8 hours so we only get paid for time worked.

Generally, at these roundtables I heard this discussion over and over. We are not giving up. We are still trying to save these jobs. People who work at ASTAR, who work at ABX, who are part of DHL, obviously have real fears.

Another lady from New Vienna writes:

My husband is one of the many employees being laid off by ABX after putting in 26 years with them. I cannot begin to tell how much this is going to hurt us in many, many ways, along with 6,000 plus other employees here.

When I said up to 7,000, I was including, you know, some of the ancillary supply jobs in the vicinity.

The reason I am e-mailing you is to see if there is any way you or any government employee can help all of the employees and their families that are being let go. With the economy the way it is, it is hard enough trying to keep food on your table let alone trying to do without a job. Please, Senator

BROWN, fight for all of us at ABX, ASTAR and DHL. We need all of you in our government to fight hard for us and Ohio.

Someone from Blanchester, just south of Wilmington, said:

I am a 19-year pilot for Astar Air Cargo; a 16-year member of the pilot's union. My wife and I became residents of Ohio when DHL consolidated their main sort facility in Wilmington, OH.

At first we did not want to move, but as a loyal employee I wanted to live close to my employer. So my wife and I built a home in Brown County near town, and I looked forward to finishing my career there. We, unlike DHL, made a long-term commitment to the local area. I am realistic that I realize the last flight of ASTAR is on the horizon. I know in today's business environment there is usually little chance of stopping large corporations from following through with their announced plans. My wish is that you use any influence you might have with the Department of Justice or other agencies that will have to approve DHL's planned partnership with UPS to compel DHL to abide by their commitment to the pilots of ASTAR, the commitment to job security, growth and a long career they promised in the latest collective bargaining agreement.

DHL and their owner, the Deutsche Post, needs to be held accountable for commitments they made to the people, the workers, and the communities of southwest Ohio.

The last note I will share is from someone in Midland.

I am writing today to ask you to all consider the devastating effect that the loss of these thousands of jobs will do to our families, counties, and State, if DHL does, in fact, pull out of Wilmington, OH. Everyone I know has a family member or friend who works in that facility. I have two daughters who work there as well. They are single parents, and the fear of loss of income, home, and car is in their every thought at this time. I cannot imagine how terrible this will be for them, and they have family to fall back on. What will happen to others who do not have that support system in place?

We are all fighting to keep this place open. It matters to our economy, it matters to our State, it matters individually to so many people.

Those were four or five of them. In the communities, you know what happens when people lose their jobs, and there are so many of them, especially in a small town. You know what it means to the school system, what it means to police protection, fire protection, all that people in our middle-class society and workers rely on. That is why I share these stories. I will share these with the White House, I will share those same stories with Deutsche Post. We want them to come to the table and talk to us about a different contract that can keep those workers there. It will matter for Wilmington, it will matter for southwest Ohio, it will matter for our country.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. I ask unanimous consent that the order for the quorum call be rescinded.

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

EXECUTIVE SESSION

NOMINATIONS OF GENERAL DAVID H. PETRAEUS AND LIEUTENANT GENERAL RAYMOND T. ODIERNO TO BE GENERAL

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to executive session and continue consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Gen. David H. Petraeus, Department of the Army, to be general.

Mr. BYRD. Mr. President, I will vote no on the nomination of GEN David H. Petraeus, the current commander of the Multi-National Force—Iraq, to be Commander, U.S. Central Command. I was unable to attend General Petraeus' nomination hearing before the Armed Services Committee because I was managing the supplemental appropriations bill on the Senate floor, but I reviewed his testimony. I also posed a number of questions to General Petraeus after the hearing, and studied his responses.

I appreciate General Petraeus' evident intelligence and his expertise and experience in Iraq. He wrote the book on countering insurgencies for the Army. He led the 101st Airborne Division during the V Corps drive to Baghdad in 2003. He established the Multi-National Security Transition Command Iraq in 2004. He has served as Commander of the Multi-National Force—Iraq since January 2007. He is the architect of the so-called surge strategy that is even now being played out in Iraq.

The surge strategy is, in fact, one of the reasons why I believe General Petraeus should remain in his current position as Commander of the Multi-National Force—Iraq. Marshal Ferdinand Foch, Supreme Commander of the Allied Armies at the conclusion of World War I, observed in his 1920 book, ''Precepts and Judgments'', that ''Great results in war are due to the commander. History is therefore right in making generals responsible for victories—in which case they are glorified; and for defeats—in which case they are disgraced.'' The book is still out on the success or failure of the surge strategy. General Petraeus should bring it to its conclusion before he is rewarded with a promotion.

Continuity of command has been a problem in Iraq. Historically, when the United States has been involved in protracted conflicts, continuity of command has been maintained, be it Generals Eisenhower or MacArthur during World War II, or General Westmoreland during the Vietnam conflict. General Petraeus has only been in his current position for 18 months. Since President Bush believes that General Petraeus has done well in his current position, but he, Secretary Gates and General Petraeus have all described the security situation in Iraq as tenuous and reversible, it does not seem prudent to remove the mastermind behind the fragile successes that have been thus far achieved.

Almost 1 year ago, on July 14, 2007, President Bush said in a radio address that, ''When America starts drawing down our forces in Iraq, it will be because our military commanders say the conditions on the ground are right—not because pollsters say it would be good politics.'' That strategy does not work well, however, when you keep changing commanders. No new commander is going to come in and say 'reduce the troop levels on my watch,' because if, through their lack of familiarity with the conditions on the ground, they are wrong, that defeat would be their disgrace, just as Marshal Foch observed in 1920. So, a year after President Bush's statement, troop levels in Iraq are only just returning to something close to the presurge levels of January 2007, when General Petraeus assumed command in Iraq. If, as General Petraeus has said, no further decisions on additional drawdowns will be made until sometime in the fall of 2008, a new commander will be called upon to make that decision.

I am also concerned about General Petraeus' unwillingness to address questions regarding other regional issues, such as in Afghanistan or Iran, during his nomination hearing. Such evasiveness is not politic; it is troubling at a time when news reports suggest that the Taliban is resurgent in Afghanistan and that President Bush may be contemplating military action against Iran. Despite the press of his responsibilities in Iraq, General Petraeus must be concerned with how other operations or other political considerations in the same theater affect his options in Iraq. Equally, he must consider how political changes in his chain of command might affect his operations in Iraq, yet he will not admit even the existence of contingency plans for potential troop drawdowns that might be required by a new administration. If the competing priorities for manpower and materiel are to be sorted out at the CENTCOM level, it must be done with a clear understanding of what is possible and what is achievable, by someone willing to take a stand in support of all the men and women who will be called upon to carry out those priorities, not by someone who only salutes and carries out orders or by someone who knows only a fraction of the full situation. General Petraeus' career will be judged in large part by his role in the Iraq conflict; his reticence to address other regional issues raises questions about his willingness to devote the focus and the resources needed to address them properly.

Finally, the repeated rotations of U.S. soldiers to Iraq and Afghanistan

are taking a toll on our military. Elements of the 4th Infantry Division, 1st Infantry Division, 1st Cavalry Division, and the 172nd Infantry Brigade are facing a third tour in Iraq and Afghanistan. Elements of the 82nd Airborne Division are facing a fourth tour. With these repeated tours and the continuation of the ''stop loss'' policy of forcibly retaining troops on active duty in order to maintain unit integrity necessitated by the strain this war is placing on our forces, it is difficult to understand why these troops should not be entitled to a continuity of command. The troops appreciate the effectiveness of working together as a unit when confronting danger on a regular basis. They deserve a leadership corps that, like them, functions together as a unit and stay together.

More than 12,000 servicemembers are currently affected by ''stop loss'' orders that prohibit them from retiring or leaving the service even though they are eligible for retirement or their terms of enlistment have expired. That total includes 6,800 active-duty Army personnel, about 3,800 Army National Guard personnel and almost 1,500 Army Reservists who are not allowed to leave military service despite having fulfilled their service obligations.

LTG James Thurman, the Army's deputy chief of staff for operations, has said that he hoped, but could not promise, that if the demand for troops stabilized at around 15 combat brigades, the use of the ''stop loss'' could be ended by the end of fiscal year 2009, or the beginning of fiscal year 2010—in September or October of 2009, more than a year from now. ''But demand exceeds supply right now,'' he stated. For the 12,000 affected servicemembers, and those who will become eligible to retire or leave service between now and late 2009, this amounts to another 18 months of forced conscription. Until the practice of ''stop loss'' is ended, perhaps General Petraeus and other military leaders should remain in their current assignments until the U.S. can transition the responsibility for the security of Iraq to Iraqis.

Mr. LEAHY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of GEN David H. Petraeus to be general?

The clerk will call the roll.

The assistant journal clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 95, nays 2, as follows:

[Rollcall Vote No. 171 Ex.]

YEAS—95

Akaka	Dole	Menendez
Alexander	Domenici	Mikulski
Allard	Dorgan	Murkowski
Barrasso	Durbin	Murray
Baucus	Ensign	Nelson (FL)
Bayh	Enzi	Nelson (NE)
Bennett	Feingold	Pryor
Biden	Feinstein	Reed
Bingaman	Graham	Reid
Bond	Grassley	Roberts
Boxer	Gregg	Rockefeller
Brown	Hagel	Salazar
Brownback	Hatch	Sanders
Bunning	Hutchison	Schumer
Burr	Inhofe	Sessions
Cantwell	Inouye	Shelby
Cardin	Isakson	Smith
Carper	Johnson	Snowe
Casey	Kerry	Specter
Chambliss	Klobuchar	Stabenow
Clinton	Kohl	Stevens
Coburn	Kyl	Sununu
Cochran	Landrieu	Tester
Coleman	Lautenberg	Thune
Collins	Leahy	Vitter
Conrad	Levin	Voinovich
Corker	Lieberman	Warner
Cornyn	Lincoln	Webb
Craig	Lugar	Whitehouse
Crapo	Martinez	Wicker
DeMint	McCaskill	Wyden
Dodd	McConnell	

NAYS—2

Byrd	Harkin

NOT VOTING—3

Kennedy	McCain	Obama

The nomination was confirmed.

The PRESIDING OFFICER. The question now is, Will the Senate advise and consent to the nomination of Lt. Gen. Raymond T. Odierno to be General?

Mr. WARNER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER (Mr. TESTER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 96, nays 1, as follows:

[Rollcall Vote No. 172 Ex.]

YEAS—96

Akaka	Coburn	Hagel
Alexander	Cochran	Hatch
Allard	Coleman	Hutchison
Barrasso	Collins	Inhofe
Baucus	Conrad	Inouye
Bayh	Corker	Isakson
Bennett	Cornyn	Johnson
Biden	Craig	Kerry
Bingaman	Crapo	Klobuchar
Bond	DeMint	Kohl
Boxer	Dodd	Kyl
Brown	Dole	Landrieu
Brownback	Domenici	Lautenberg
Bunning	Dorgan	Leahy
Burr	Durbin	Levin
Byrd	Ensign	Lieberman
Cantwell	Enzi	Lincoln
Cardin	Feingold	Lugar
Carper	Feinstein	Martinez
Casey	Graham	McCaskill
Chambliss	Grassley	McConnell
Clinton	Gregg	Menendez
Mikulski	Salazar	Sununu
Murkowski	Sanders	Tester
Murray	Schumer	Thune
Nelson (FL)	Sessions	Vitter
Nelson (NE)	Shelby	Voinovich
Pryor	Smith	Warner
Reed	Snowe	Webb
Reid	Specter	Whitehouse
Roberts	Stabenow	Wicker
Rockefeller	Stevens	Wyden

NAYS—1

Harkin

NOT VOTING—3

Kennedy	McCain	Obama

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, en bloc, and the President will be immediately notified of the Senate's action.

The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, I thank all the Members of the Senate. We just had two historic votes. The men and women in the Armed Forces, particularly those serving in Iraq and Afghanistan, will be greatly heartened to hear that the Senate has given the strongest possible advice and consent, each Member coming to the floor and casting their vote. I think it is a landmark situation and one which is respected and appreciated across our uniformed services and the many civilians who serve with them.

I yield the floor.

Mr. FEINGOLD. Mr. President, it is generally my policy to defer to Presidents on executive branch nominations. Accordingly, I voted to confirm the nominations of General Petraeus and Lieutenant General Odierno. However, I am concerned that General Petraeus has not always been forthright in his congressional testimony about matters such as the limitations of the Iraqi Security Forces and Iran's influence over the Iraqi government. I am also concerned that General Petraeus, as CENTCOM Commander, would continue to prioritize deployments to Iraq over Afghanistan, despite al-Qaida's safe haven along the Afghanistan border in Pakistan and its support for a resurgent Taliban. I look forward to a new administration that recognizes that the Iraq war is a distraction from our top national security priority—the global fight against al-Qaida and its affiliates.

Mr. HARKIN. Mr. President, today, the Senate considered nominations for two very important positions that will affect how our country moves forward in Iraq and the Middle East. While I highly respect the service that these men have provided to their country, I do not believe that either General Petraeus or Lieutenant General Odierno will take the United States in the direction that we need, particularly in Iraq where we need a timetable for redeployment of United States forces so that our country can begin to more effectively address the very real

threat posed by terrorists in other areas, such as Afghanistan, as well as around the globe.

I believe that General Petraeus has been an unapologetic supporter of this misguided war in Iraq, continually toeing the administration's party line and failing to acknowledge many of the grave failings that have occurred. The military alone will not be able to stabilize Iraq, we must understand the political and diplomatic situation at hand, and I do not believe that under General Petraeus' leadership, the necessary reconciliation to allow the Iraqi Government to take control has occurred. General Petraeus has shown no willingness to take us in this new direction, and it is for this reason that cannot support his nomination.

With respect to Lieutenant General Odierno, I believe that his past command of the 4th Infantry Division demonstrated what I consider to be serious flaws in judgment. General Odierno refused to characterize the insurgency that began after the fall of the Saddam Hussein regime as anything that was serious and worthy of U.S. strategy shift. As we know, the failure to correctly assess the nature of the insurgency helped fuel years of violence in Iraq.

We are long overdue for a new course in Iraq. The tragically overwhelming costs of this war in both lives and resources have distracted us from the initial task of fighting al-Qaida. It is time that we have leaders who will be able to independently assess our military mission in Iraq, Afghanistan, and the Middle East rather than unquestionably support the failed policies of this administration.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

AMERICAN HOUSING RESCUE AND FORECLOSURE PREVENTION ACT OF 2008—Continued

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. KLOBUCHAR). Without objection, it is so ordered.

REQUEST TO BE EXCUSED

Mr. STEVENS. Madam President, I ask unanimous consent that I be excused from the call of the Senate until the first vote that occurs on July 14.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

ENERGY

Mr. SANDERS. Madam President, I want to take a moment to speak about one of the most important issues facing our country right now, and that is the energy crisis, in terms of the high cost of energy and the fact that people will be suffering very significantly this coming winter—in fact, this summer—if we do not address it.

In that regard, on June 24, I introduced S. 3186, the Warm in Winter and Cool in Summer Act, to provide immediate relief to millions of senior citizens, families with children, and the disabled, who are struggling to pay their home energy bills. Specifically, this bill would nearly double the funding for the highly successful Low-Income Home Energy Assistance Program, commonly called LIHEAP, in fiscal year 2008, taking LIHEAP from $2.57 billion to $5.1 billion, a total increase of over $2.5 billion.

I thank Majority Leader REID for completing the rule XIV process for this important piece of legislation and placing it directly on the Senate calendar. My understanding is that we will have this bill on the floor before we recess for the August vacation. It is important we do that, and I thank Senator HARRY REID very much for allowing us to move forward in that direction.

I also thank the 26 Senators who are cosponsors of this tripartisan legislation. This bill absolutely is a tripartisan piece of legislation. At this point, we have 18 Democrats on board, we have 8 Republicans on board, and I expect more will be coming on in the coming days and weeks. I thank Senators OBAMA, COLEMAN, LEAHY, SMITH, DURBIN, SNOWE, MURRAY, SUNUNU, LANDRIEU, COLLINS, MURKOWSKI, CLINTON, LUGAR, CANTWELL, GREGG, KERRY, CARDIN, KENNEDY, SCHUMER, BROWN, KLOBUCHAR, MENENDEZ, CASEY, BINGAMAN, STABENOW, and LAUTENBERG for their support.

This legislation not only has strong bipartisan support here in the Senate, it is also moving in the House, and it also has been endorsed by numerous groups all across this country, including the AARP, the National Grange, the National Conference of State Legislatures, the National Community Action Foundation, the National Association of State Energy Officials, the Alliance For Rural America, the Northeast Public Power Association, the National Consumer Law Center on behalf of its low-income clients, the Edison Electric Institute, the National Fuel Funds Network, and the Petroleum Marketers Association of America.

I think we are going to show more and more support in coming weeks, but there is a widespread understanding that we are facing a crisis in this country and that the President and the Congress have to act.

Let me read a support letter I received from the AARP, the American Association of Retired Persons. As you know, the AARP represents over 39 million Americans, and this is what the AARP said.

> AARP fully supports the Warm in Winter and Cool in Summer Act. This legislation will provide needed relief for many older persons who may not receive assistance—despite their eligibility—due to a lack of funding. Older Americans who are more susceptible to hypothermia and heat stroke know the importance of heating and cooling their homes. They often skimp on other necessities to pay their utility bills. However, today's escalating energy prices and the Nation's unpredictable and extreme temperatures are adding to the growing economic hardships faced by seniors. LIHEAP is underfunded and unable to meet the energy assistance needs of the program's eligible households.

I thank the AARP very much for their strong support of this legislation.

Let me also quote from a very recent New York Times editorial. This is what the New York Times said the other day.

> A bill just introduced in the Senate would provide about $2.5 billion under the Low-Income Home Energy Assistance Program. Half would be released to the States to help low-income residents pay their energy bills and half would sit in a contingency fund that could be tapped at the discretion of the President. When the bill comes up for a vote, likely later this month, Congress should approve it and President Bush should sign it into law. As the economy slows and oil prices rise, helping Americans who cannot afford to heat their homes is a matter of public health and safety as well as a moral imperative. People without adequate heat are vulnerable to illness, and people struggling to pay the heating bills may be tempted to skimp on medicines and even food. No one should have to choose between heating and eating. If they act this summer, as they must, before the Presidential and congressional campaigns send everyone home, Congress and President Bush can help make sure that nobody has to make that choice.

That is from the New York Times, and I appreciate the support of the New York Times on this issue.

Make no mistake about it, we have an energy emergency in Vermont and all across this country, and it is about time the President and the Congress treated this as the emergency it is. As many of my colleagues understand, the price of heating oil skyrocketed last winter, making it extremely difficult for some of my constituents and people all across this country to stay alive, especially when the temperature dropped well below zero. Next winter will even be worse.

At this time last year, heating oil prices were about $2.50 a gallon. Today, they are about $4.50 a gallon. Fuel dealers in Vermont are telling me that if this trend continues, heating oil prices could surpass $5 a gallon by December. I must tell you, Madam President, that all across my State people are very worried about how they will in fact be able to adequately heat their homes next winter.

Meanwhile, LIHEAP funding is 23 percent less than it was 2 years ago, completely eviscerating the purchasing power of this extremely important program. In fact, after adjusting for inflation, the Federal Government spent more money on LIHEAP 20 years ago than it is spending today. So we have a real crisis we have got to address.

It is not an exaggeration to say this is a life-and-death situation. People use that phrase often, but in this sense we are describing the reality facing a number of people. According to the Centers for Disease Control, over 1,000 Americans all across this country died from hypothermia in their own homes from 1992 to 2002, the latest figures we have available. Over 1,000 Americans died from hypothermia. In other words, they froze to death in the United States because they were unable to afford to heat their homes. How many of these deaths were preventable? Well, the answer is, all of them, according to the CDC.

We will probably not know for several years how many Americans died last winter because they could not afford to heat their homes, but clearly one death is too many. And everything being equal, if we do not act, I think we can reasonably expect the number of people dying of hypothermia in this country will only go up. If heating oil even approaches $5 a gallon by next winter, we will have a public health emergency throughout the northern tier of this country, and this is something we have to address.

I wish also to point out that, although I come from a cold weather State—and I hope and expect all of my colleagues understand this—LIHEAP does not only help constituents in the northern part of our country stay warm in the winter, it also helps people in the South and the West stay cool in the summer. Right now, many people in the southern and western States are suffering with temperatures frequently soaring past 100 degrees while their electricity prices are rapidly increasing.

I was in Nevada last week, and the temperature there was something like 110 to 115 degrees. That is hot. I cannot imagine a frail or elderly person, somebody who is ill, trying to survive in that kind of weather. Those people are going to need help today as much as people in the North will need help when the winter comes.

Recently, USA Today ran a headline on its front page and it said:

Price jolt: Electricity bills going up, up, up.

That was a headline, front-page story. According to this story:

Utilities across the USA are raising power prices up to 29 percent, mostly to pay for soaring fuel cost. . . . The spikes come after rising fuel prices already have driven up utility bills nearly 30 percent the past 5 years, the sharpest jump since the 1970s energy crisis.

Let me give an example of why LIHEAP funding is vital, right now, for these hot-weather States. Arizona, Georgia, Louisiana, Kentucky, Mississippi, and Florida have either exhausted all their LIHEAP funding or are on the verge of running out of funds. In other words, they will have absolutely no support from the Federal Government to help millions of senior citizens on fixed incomes, low-income families with kids or the disabled stay cool this winter. They are running out of funds right now.

As I have indicated, with the price of electricity going up and up, with the economy in the tank, people are having a harder and harder time paying their electric bills, air-conditioners are run on electricity, and if you don't have your electricity, you don't have your air-conditioner, and if you are old and you are frail and you are sick, you are in a lot of trouble.

From 1999 to 2003, over 3,400 deaths in this country were due to excessive heat. All these deaths were preventable, and air-conditioning is the best way to prevent these deaths from occurring, according to the Centers for Disease Control. In fact, more people in the United States—and this is an interesting fact that I think many people are not aware of—more people in the United States have died from the extreme heat than from floods, tornadoes, and hurricanes combined, since 1998.

CNN may not be in a senior citizen's bedroom when she expires because of heat exhaustion. They are there with the floods and hurricanes and cyclones and tornadoes—we understand that. But we need to reiterate that more people in the United States have died from the extreme heat than from floods, tornadoes, and hurricanes combined.

Meanwhile, the Federal Government spends less money preventing these deaths from occurring than any other natural disaster we face, according to the CDC.

My point is, hurricanes and floods certainly are emergencies. I have always supported efforts to address these emergencies. I want my colleagues to know that when the weather gets 20 below in Vermont and Maine and New Hampshire, that is an emergency. When the weather gets to 110 degrees in California or Nevada, that is also an emergency. We have to act.

My legislation will begin to move us in the right direction. If this legislation becomes law, as I certainly hope it will be, the State of Arizona would receive over $24 million, the State of Kentucky would receive over $34 million, the State of Georgia would receive over $70 million, and the State of Florida would receive over $80 million to keep their residents cool this summer.

The point I am making is, I don't want anybody to think that because I represent Vermont and we are from the Northeast, that this is simply a cold-weather issue. It is not. It is an issue for every region of this country.

In addition to all that I have said, it is important to understand that tens of thousands of Americans have had their utility and natural gas service shut off this year, and millions more are in danger of having these services cut off because they are at least 1 month late in paying their bills. There is a lot of attention, obviously, on housing foreclosures that we have been focusing on. But let us not forget that as people lose their jobs, as people's wages decline, as utility bills go up, we are looking at utility cutoffs in a very dramatic way.

Increasing LIHEAP funding will allow these Americans to turn their electricity and other essential utility services back on right now so they can cool their homes this summer and heat their homes next winter. According to the National Energy Assistance Directors' Association, a record 15 million American families, or nearly 15 percent of all households, are at least 30 days overdue in paying their utility bills.

Let me conclude by thanking the 26 cosponsors, including 8 Republicans, who are onboard this legislation. Let me thank AARP and the many national organizations that are supporting this. Let me thank Senator REID for completing the rule XIV process.

I hope very much that in a week or two, certainly before we break for the August recess, we will be voting on this legislation. I hope we win it by a very large majority.

I thank Majority Leader REID and all my colleagues who are supporting this legislation and look forward to, in the very short term, reassuring people throughout this country that we are mindful of the impact high energy costs are having on their lives, and we are here to do something about it.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. GRASSLEY. Madam President, I ask the question, are we in morning business?

The PRESIDING OFFICER. The Senate is not in morning business.

Mr. GRASSLEY. I ask unanimous consent to speak for a few minutes as in morning business.

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

ENERGY

Mr. GRASSLEY. We are all aware of the impact rising energy costs have had on Americans and our economy. Every home and business in America has seen energy costs skyrocket. That is true with the price of home heating oil, electricity generated from natural gas or the gasoline and diesel for our cars and trucks, and probably a lot of

other energy uses and sources of energy you could throw in there as well. These costs permeate through our economy by driving up costs for the transportation and production of food, to the manufacturing and industrial sectors of our economy. Obviously, those hurt most are the families who feel it in their pocketbooks when they pay their utility bills, fill their cars or trucks to get to work or take their kids to school, or even buy groceries. They do not have the ability to pass it on, as do people in the middle of the chain.

A key component of a strong and vibrant economy is reliable and affordable energy. For businesses to grow, for productivity to increase, we need more energy. And in the process of more energy, I mean more sources of energy, but I do not preclude any way we can save energy, and an ethic to save energy as well.

It is a fact of life that each American generation has lived better than the predecessor generation, and my generation and the next generation and the next generation expects to live a little better than the previous generation. That is the American dream; that is the American way. It is not going to happen if we do not have affordable energy. To have affordable energy, it is as simple as economics 101: when the price is high, with an increased supply, the price will go down.

So all of this means that we need to use energy not only more but more efficiently. It also means you cannot rely just on fossil fuels. God only made so much of that. We need to develop alternative and renewable sources of energy. But renewable energy and energy efficiency are only a part of the solution. I guess I would say that when you talk about energy, you talk about three: No. 1, more sources of present fossil fuels; No. 2, alternative energy—and for a guy like me from corn country, I am not talking only about ethanol, but biodiesel, biomass, wind. I happened to sponsor, 15 years ago, the wind energy tax credit that now exists and which has brought vibrant wind energy to a lot of the Midwest. And also, lastly, conservation. I am talking about not only a Government policy on conservation which we have in place in the sense of a tax incentive for fuel-efficient cars and also tax incentives for energy-efficient home appliances, to name two, but there is a personal ethic of more conservation that we are seeing in America right now. The latest figures I know of are March 2008 versus March 2007. Because of the increased price of gasoline, we drove 5 percent less miles this March than a year ago, and that is the largest decrease or greatest decrease in energy use since energy was this high on an inflationary basis back in 1979.

So Americans are conserving price, they are conserving when they buy these fuel cell cars where you get the tax credit. But it cannot only be conservation. And too often I hear in this body: Do not drill; conserve.

You have to do drilling and you have to do conserving. But you also have to have that third factor, which is very popular with a person like me, alternative energy, because alternative energy, in the case of ethanol as an example, is good for farmers, is good for the environment, and it is good for jobs in rural America. We never thought we would have these kinds of jobs where we set up a refinery in rural America to make alternative energy. It is good for our national security, and it is good for our economic security. So you have to have a broad base.

One area in which we have done little, though, to help ourselves is the developing of domestic sources of traditional energy. For too many years, we have shunned the use of domestic affordable coal and we have hindered the expansion of our domestic nuclear energy. Why would we do that when France gets 80 percent of its energy from nuclear? Why would we not have the reprocessing of spent nuclear fuel when they do it in other countries to reduce the necessity of finding a storage place for it to such a great extent as we have in this country?

What is it that people, young people, would come to my office last fall and say: We ought to stop using coal. Well, when you generate 55 percent of your electricity on average from coal, what do they expect—that we should not have lights, we should not have electric motors on our air-conditioning, et cetera? Where do they get ideas like that?

There is something wrong when there is not some reality to what the energy situation is in this country and you should not use coal and you should not use nuclear energy. Where does that sort of thought take you? It does not meet the commonsense test that we would establish in the Midwest of something being a good idea or a bad idea.

As a result of our policies here in Washington, we have driven the exponential demand for clean-burning natural gas and pushed our oil dependancy to nearly 60 percent. Yet we have done very little to increase the supply of energy to meet new demand because of an attitude of ''no drill, no drill.''

What is the sense of paying $140 for a barrel of oil, sending it over to some Arab nation where they are going to train terrorists to kill us because they do not like us? It would be better to keep that $140 here in the United States. It would be good for our economy. It would be better for our national defense. It would be better all around.

It is intellectually dishonest to talk about the offensively high prices of home heating fuel or $4 gasoline for our cars while also opposing every effort to increase the supply of home heating oil and natural gas that would lower these prices, a la economics 101: if you increase supply, the price goes down. It seems to me that some of my colleagues whom I listen to here—the very same ones who are blaming high gasoline prices on the Bush administration are the very same ones who do not want to drill. It does not add up. That is why I say it is intellectually dishonest. It is disingenuous to clamor about the cost of crude oil and gasoline while ignoring half of the law of supply and demand.

Members of this body continue to point out the outrageous burden to our citizens because of high energy costs. I would suggest that some should look closely at the votes they cast that limited the development of our domestic resources. We have a responsibility here in Congress to address the underlying causes of high energy costs. That includes increasing energy efficiency, producing alternatives and renewables, and developing domestic traditional sources. In other words, let me get back to the three-finger rule: No 1, more drilling; No. 2, Government incentives for alternative energy; No. 3, Government incentives for conservation and also what individuals can do in conservation.

I point out something that is just irrational, irrational right here on Capitol Hill. I saw it—let's see, what time was it today? It was 11 o'clock. I was out on the steps to meet with members of the Iowa FFA, the Future Farmers of America, the leaders who are here to study leadership and to learn about the political process. Lined up across this new brick area out here east of the Capitol were a whole bunch of black SUVs idling, parked and idling. Why can't we have an ethic on Capitol Hill, whether it is Ambassadors who are coming up here, whether it is the Vice President coming up here, or whether it is our own elected leaders who have chauffeur-driven cars, to turn off the cars? If you want to stay cool, come in this building and save the $4 gas. We have to promote some leadership on conservation here, and it can start right here with the Federal Government. I do not know who owns those black SUVs. I got a couple of license plates I am going to look up. But we can set an ethic here.

But you have to have all three of these, and conservation is one of them. You can have tax incentives for conservation, but you can also do a lot of personal conservation. Even with my own staff sometimes, you drive up to park to go into a town meeting, and they sit there for 10 seconds before they turn off the ignition. I have learned to reach over and turn it off just as soon as the car has come to a complete stop or even just a little bit before.

Another problem we have in this country is the United States is the only country I am aware of that is choosing not to drill where we know oil and gas exist.

How many times have we heard on the Senate floor: There is only 13 billion barrels of oil in Alaska. It is going to take 10 years to access and get it down here. It is not going to make any difference.

That is not supposed to be a big deal? If that isn't a big deal, how come just within the last year they found 5 or 6 billion barrels of oil offshore of Brazil, and it was a big deal, a big deal from the standpoint of energy efficiency for Brazil? And it was a big point for enhancing the inventory of known oil supplies worldwide because, just like money is fungible, oil is fungible. Wherever you find another drop of oil, it has some impact on the inventory. It has some impact on supply. So it ought to be just as big or twice as big of a deal because we have 13 billion barrels of oil in Alaska, as an example.

Isn't this silly? Here in the United States, these lower 48, we have Mexico south of us, Canada north of us. They are doing everything they can to find every drop of oil they can; in Canada, getting it out of the tar sands. Yet what is unique about the United States? We are part of North America. We are right in the middle of North America. North and south of us is every attempt to get every drop of energy they can but not here. Isn't there something wrong with us when we take that attitude? But while you take that attitude, it is OK to ask the Saudis for more oil. It is OK to ask to be dependent on countries such as Iran and Venezuela for our economic security. It is OK to send $140 a barrel over there. But, boy, don't take a drop of oil out of the ground here where we are not drilling now and keep the $140 here. It is not OK to open areas at home where we know there is oil and gas.

As I say so often, this defies common sense. I think my constituents know it because in every one of the 14 town meetings I had Monday, Tuesday, Wednesday, and Thursday of last week in western Iowa, this issue of why we don't drill for our own oil has come up. For 4 years before that, I don't think I heard much about it. But it sure is a big deal waking up people. Maybe that is some advantage of $4 gas. It is harmful to the economy, harmful to middle-income people, more harmful to low-income people, but it might wake up America to have a more balanced energy policy, which is threefold: drill, alternative energy, and conservation.

There are some on the other side of the aisle who wouldn't be able to point to a single area where we should look for oil and natural gas. We have four or five people on my side of the aisle. So this is just not a Democratic thing, but there are more Democrats who believe that than Republicans.

In 2006, Congress took action and voted to open 8.3 million acres in the Gulf of Mexico to oil and gas drilling. However, when the Senate considered the Gulf of Mexico Energy Security Act in August of that year, 24 Democrats, including Senator OBAMA, or 57 percent of the caucus opposed that legislation. This was even after Hurricanes Katrina and Rita ripped through the gulf without a single oil or gas incident.

Today oil is more than $135 a barrel. Families, small businesses, and truckers are suffering from the increased cost of energy. Farmers have been forced to pay outrageous prices for anhydrous ammonia fertilizer this spring because of the cost of natural gas. Ten years ago we produced domestically nearly all of our fertilizer needs. Now we are dependent upon other countries for 55 percent of that fertilizer. Congress must act to develop our resources at home. We can take action today to develop in responsible ways our own domestic supplies of oil and natural gas What I am saying is, you can do this and not harm the environment.

A bill I recently cosponsored, introduced by Senator MCCONNELL, would take action to reduce gas prices. It would allow States to explore for oil or natural gas in the Outer Continental Shelf. It would allow Governors in coastal States to petition for a lifting of a moratorium within their State boundaries. The Pacific and Atlantic regions of the Outer Continental Shelf, which this bill would allow for leasing, hold an estimated 14 billion barrels of recoverable oil and 55 trillion cubic feet of natural gas. But a moratorium currently prohibits production in those very areas. The Gas Price Reduction Act would take sensible action to allow these resources to be developed.

It is time that we end the obstruction of reasonable, environmentally responsible development of domestic oil and gas resources.

Bottom line: I hope my colleagues will recognize the extreme burden American consumers are experiencing. It is past time to take action to increase our energy supply, increase our economic and national security, and develop the resources that God gave us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, I rise to talk about the very serious energy situation. There is a crisis focused around gasoline prices that we face in our country. I want to start by complimenting the distinguished Senator from Iowa for doing the same, for focusing on this crucial priority that every American is facing, is struggling with in terms of dealing with the family budget. I certainly agree with my colleague, this is the No. 1 concern of every American I talk to. Literally everyone I talk to says this is the top priority. This is a true crisis. This isn't just hitting me in the pocketbook every day, every week, every month. This is threatening our future. This is threatening our economy.

Given that, there is an obvious question that those same Louisianans and Americans are also asking. The question is, why isn't Congress acting? They hear us talking and making speeches and squabbling back and forth, but the obvious question they are asking is, why isn't Congress acting on this crisis that all of us face every day, every week, every month, that threatens our families' futures, that threatens our economy?

I don't have a good answer. Congress should not only talk and make speeches and jabber about this, but Congress must come together in a bipartisan way and act. Congress must take the advice of the distinguished Senator from Iowa and not do either/or, this or that, no just this, no just that. We need to do all of the above. Our energy situation is so dire, we need to use less and find more right here at home. And we have the ability to do that. So, once again, why aren't we acting?

Unfortunately, right now this question could not be clearer because while Americans in every State of the Union face this challenge every time they go to the gas station, every time they look at their family budget, the Senate is doing something very different. The distinguished majority leader is planning to turn from the legislation on the Senate floor now regarding housing and next take up not energy, not gasoline prices, but a bill that would triple the level of foreign aid that we send overseas in terms of AIDS relief. AIDS is a very serious worldwide problem. But let me say two things. First, under President Bush's leadership, the United States has led the world in addressing that issue, particularly in Africa, in a very aggressive way. I support that. President Bush has led that, with others in the private sector such as Bono. But we are doing that.

The question I am bringing up is, is it really appropriate now at this moment to take up a bill to more than triple that foreign aid rather than taking up a bill to address energy and gasoline prices by using less and finding more right here at home?

I can tell you what the American people would say. Everyone in the State of Louisiana, everyone I know across the country would say: that is not a close call. That is not a close call. Global AIDS is a huge problem, and we have acted aggressively to help address it. The United States has led in that effort. But what is hurting us every day, every week, every month, every time we go to the gas station, every time we have ever more painful discussions at the family kitchen table about the budget, what is impacting us is gasoline prices and energy. They would say that is not a close call.

In this context, I urge the majority leader to turn to what is clearly the top priority of the American people. It is real simple. They elect us to come to the Senate, to come to the House and act together as grown-ups in a bipartisan way to solve real problems. It is also real simple: The biggest very real problem they face is gasoline prices and energy. Why aren't we acting? They are asking that over and over. Yes, we talk and speechify and jabber and often finger point, but why aren't we acting?

I believe the solution is simple. As soon as we finish the matter which we will hopefully wrap up today, the housing bill, we should turn to what is by far the top priority, worry, concern of

the American people. We should turn to legislation to directly address gasoline prices, the energy situation, by both using less at home and finding more right here at home to lessen our dependence on foreign sources.

Again, that is a pretty clear choice. What do we go to next? The distinguished majority leader's suggestion is a bill to more than triple the foreign aid we already send overseas for HIV/AIDS relief. Again, that is a serious issue and a serious problem. We have been addressing it in a serious way: $15 billion for that program under President Bush's leadership. But the question is, what do we do next? Turn to a bill that would more than triple that or turn to a bill to address the top concern, bar none, of the American people, gasoline prices and energy? I would obviously suggest the latter.

There are lots of ideas around about what we need to do on the energy front. The first consensus we should reach is that we should do a whole lot of these ideas. It is not either/or, one side or the other. It is not just conserve or just drill. It is, as the distinguished Senator from Iowa said, all of the above. We need to use less and find more and produce more right here at home.

Many of us, well over 40 in this body, have come together around such a bill. That bill is S. 3202, the Gas Price Reduction Act. That bill is aimed to directly address this current gasoline price crisis and the current energy situation. It would do it in a broad-based way, not everything under the Sun. It is fairly focused, but it would do it in a broad-based way by both using less and finding more, producing more right here at home. It has four main components, each of which is important.

First of all, let me mention the component I worked very hard on. I drafted this component as a stand-alone bill, but the main outline of the provisions was also adopted in the broader bill; and that would be to open our vast, significant resources of oil and natural gas that lie in our ocean bottoms off the coasts of the United States.

When I explain this to most folks in Louisiana, they are stunned that we have major, significant untapped resources in our ocean bottoms well off our coasts, but Congress has acted in the past to take almost all that off the table. In fact, of all those oil and natural gas resources we have in our ocean bottoms off our coasts, Congress has said we cannot touch 85 percent of it.

Fifteen percent, yes. That is mostly in my part of the world, in the Gulf of Mexico, and mostly the western gulf. But for 85 percent, Congress has said: No. Can't touch that. Can't get that. Yes, it will lessen our dependence. Yes, we can do it in an environmentally sensitive way. Yes, we have new technology. Yes, we have lateral drilling, horizontal drilling, and the like, but you can't touch that. Eighty-five percent of that is off limits.

The first component of our bill, S. 3202, the Gas Price Reduction Act, would say we can go after those resources that are 50 miles or more off our coasts if the host State involved wants us to do that, and if we give a fair revenue share of 37.5 percent to that host State to compensate that host State for any difficulty and involvement and partnership involved.

In so doing, that would be expanding on a very important precedent, a very important policy we set 2 years ago when we established that historic revenue sharing specifically—37.5 percent—in opening new areas of the gulf. So that is part 1 of the bill.

Part 2 of the bill turns to the enormous resources we have on land in the United States. It turns to States in the Western part of the United States, where there are enormous shale resources, and says: We will allow production of energy in those shale deposits. If you think it is maybe the wrong policy to put 85 percent of our resources offshore off limits, in the instance of Western shale, it is worse. Congress has put 100 percent of that energy off limits because of a bar, a moratorium, Congress has set saying: We cannot use any of that energy.

Once again, the American people are stunned. They do not get this. They face a real crisis in terms of energy. They know more supply, particularly here at home, can stabilize prices, can increase our independence, and yet a majority in Congress is saying: 100 percent of that is off limits. That does not make sense. So part 2 of this bill, S. 3202, the Gas Price Reduction Act, would allow exploration in those Western shale deposits.

Part 3 turns to the demand side because it is not either/or. It is not just one thing or just another. It is not drill, drill, drill, and do nothing else. But we also need to conserve and use new sources of energy. So title III of the bill would create major new incentives to push forward technology and bring it to market more effectively in terms of electric and plug-in cars.

That is a very exciting technological development that is progressing. But we can push it along. We can create tax and other incentives to hasten the development of larger batteries so these plug-in cars can be part of the answer in terms of our transportation issue, can lessen our use of gasoline, can lessen our reliance on dangerous foreign sources. The third part of the bill does that. It creates major incentives. It is a major push to the development of more plug-in, electric, and related technology cars that can lessen our demand.

Then, the last part of the bill, part 4 of S. 3202, the Gas Price Reduction Act, would look at this very worrisome issue of speculation. It would give new power, new authority to the agency that has authority and a role in the regulation of speculators. It would put more policemen on the beat, if you will, to make sure there is not inappropriate, out-of-control speculation that may be running the price up even more than the normal forces of supply and demand.

So that is part 4 of the bill, addressing legitimate concerns about speculation, putting more cops on the beat, giving more authority to those regulatory bodies which are supposed to be looking after that issue.

These four components of this bill are not the only four good ideas out there. There are plenty more good ideas. There are plenty of other things we do need to do. I would like to open up ANWR, the Alaska National Wildlife Refuge. I would like to put additional incentives in place for fuel efficiency and conservation and new sources of energy. There are a lot of exciting possibilities in my own State of Louisiana for certain biofuels, including that produced from sugar, that produced from new crops with sorghum, and other very promising biofuels that do not have nearly the significant impact on food and commodity prices as ethanol does.

So we need to do more. These four parts of this bill are not the only four good ideas out there. But we need to have this debate in a grownup, bipartisan way. We need to come together with all the good ideas out there and present them in the best tradition of the Senate, which is open debate and open amendments, and then—and this is the most important part—and then we need to act. We need to stop simply speechifying, simply posturing, simply talking, and act.

So I believe we must turn to this top concern and priority of the American people next. I believe we should not move from this housing bill which we are on right now to a bill that would more than triple our foreign aid that currently goes overseas to combat the very serious problem of AIDS and HIV. But instead we should turn to the top priority of the American people: gasoline prices and energy.

With that in mind, I offer a very simple and straightforward unanimous consent request. It would say: Yes, this is the top priority of the American people, so we are going to turn to it, and we are going to have an open debate, and we are going to let amendments come to the floor, we are going to have an open process and actually have debate and votes on all those amendments, and then we are going to act because that is what the American people want.

UNANIMOUS CONSENT REQUEST—S. 3202

So, Madam President, in that spirit, I ask unanimous consent that upon disposition of H.R. 3221, the housing legislation, the Senate immediately proceed to the consideration of calendar No. 854, which is S. 3202, the Gas Price Reduction Act, a bill to address record-high gas prices at the pump; and I further ask unanimous consent that there be 4 hours of general debate, equally divided, and upon the use of yielding back of that time, the Senate then proceed to consider amendments to the bill in a full and open amendment process, as is the tradition of the Senate.

The PRESIDING OFFICER. Is there objection?

The Senator from New Jersey.

Mr. MENENDEZ. Madam President, on behalf of the Democratic leadership, who intends to bring a comprehensive bill to deal with gas prices to the floor, I have to object at this time.

The PRESIDING OFFICER. Objection is heard.

Mr. VITTER. Madam President, reclaiming the floor and reclaiming my time, let me say that is very unfortunate. I am sure the American people are excited to hear that Congress might get to it someday. The problem is, they have been straining under these record-high prices for months and they have been looking at Congress and they have been seeing a lot of hot air and no action. Now what they see is the Senate taking up a bill to more than triple foreign aid that we send overseas for HIV/AIDS relief rather than taking up what is the most important challenge and crisis they face every day: High gasoline prices and our energy situation.

In my mind, nothing could underscore more clearly how out of touch the distinguished majority leader is from the concerns of the American people. We need to turn to this—not sometime, not in the future—we need to turn to this now. We need to recognize—not sometime in the future—that this is an issue. We need to recognize now that this is the top issue, bar none, of the American people, and we need to act.

With that, Madam President, I yield the floor.

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

Mr. MENENDEZ. Madam President, parliamentary inquiry: I understand we are in morning business?

The PRESIDING OFFICER. Senator, the Senate is considering a motion to disagree to two House amendments under cloture. But Senators have requested time to speak as in morning business.

Mr. MENENDEZ. Let me ask another parliamentary question: I am free to speak at this point without limitation?

The PRESIDING OFFICER. The Senator may speak for up to 1 hour on the question before the Senate or the Senator could request to speak as in morning business.

Mr. MENENDEZ. Thank you, Madam President.

Madam President, I am going to speak on the motion, and that is the main purpose of my coming, but I do wish to say that, in fact, we will be having a gas price bill and dealing with those issues on the floor very soon. I know the Senate Democratic leadership intends to bring such a bill, but it will be a bill that is, hopefully, comprehensive in its nature and creates real opportunities to reduce gas prices and meet with the challenges.

One of the factors we have today that we could get going on already is the 68 million acres that the oil industry already has access to and is largely not drilling on. So before we ask for more, why don't they move on that which they already have to drill on?

Secondly—

Mr. VITTER. Madam President, will the Senator yield for a question?

Mr. MENENDEZ. Madam President, after I make my statement, I would be happy to.

Secondly, I think Americans would be shocked to know that a lot of the domestic production in the country is sold abroad. It is not used here at home. That is something we want to deal with as well, and that will be part of a comprehensive bill that will come forward.

Those are two items that could be dealt with immediately. I think it is critical, and one of those two does not even need a legislative response, although, unfortunately, it is going to have to get one because the industry is not pursuing 68 million acres they already have. So that is alarming.

I am glad to hear that some of my colleagues on the other side of the aisle finally agree that market speculation is a critical part of this issue. We have been at this for some time, and this is the first time we have heard that is a critical component. It is a big part of what many of the oil industry executives have testified to before Congress.

Finally, I would note it is interesting to me, we brought bills here on critical extenders in the area of making sure that renewable energy sources were incentivized and brought to the mass market concentration we need so we can break our dependency on oil, period, whether it would be foreign or domestic, and our colleagues on the other side of the aisle objected. So you cannot have it both ways.

I am happy to yield to the Senator for a question.

Mr. VITTER. Madam President, I thank the distinguished Senator. My only question, which I propose through the Chair to the distinguished Senator, is, I am excited to hear we might turn to all these issues sometime in the future. I would like to know what that timetable will be. Specifically, will the majority leader give us assurance that we will turn to this in a full way, in an open amendment process, before the August recess?

Mr. MENENDEZ. Madam President, reclaiming the floor, I will be happy to give my observation. I do not pretend to speak for the majority leader in this regard, but I do believe that, in fact, we will see such action before this recess is over, maybe as early as next week. So I am very hopeful, and believe very much so, that it is every intent of the majority to deal with this in very short shrift.

Mr. VITTER. Would the Senator yield for another question?

Mr. MENENDEZ. I would be happy to yield for one more question before I get to the focus of my statement.

Mr. VITTER. That would be the second part of my unanimous consent request which is very important for consideration of these issues, to involve a full, open amendment process on the floor of the Senate, rather than the distinguished majority leader doing what he has done every time in the recent past, which is filling up the tree and blocking amendments.

Mr. MENENDEZ. Reclaiming my time on the floor, let me simply say, it is always the majority leader's desire to have a full and open debate of the Senate. However, there are those of our colleagues who wish to use that full and open debate to pursue amendments that have nothing to do with reducing gas prices and dealing with our energy crisis or to be able to pursue a course that can bring conclusion to a bill and would give that type of relief to the American people but string it out and string it out on issues that are not relevant. That is when the majority leader has faced the necessity of moving in a different direction.

So I do have the expectation that we will have a good debate and, more importantly, we will have a good bill that will be comprehensive and that will give relief to the people, and I am happy to have answered my colleague's questions.

The main purpose for which I come to the floor as we debate the housing bill is to rise again to be a voice for those who have no voice in this housing crisis. Certainly, one of my colleagues on the other side of the aisle seems to not to hear the cries of children who are being, in one respect, punished through no actions of their own—2 million of them in this country.

I am not talking about homeowners, although I am certainly pleased that the bill we are considering today will have a powerful impact on our Nation's families. I am not talking about those on Wall Street, as they seem to be the first group the administration rushes to support. I am talking about our Nation's children.

I rise on behalf of nearly 2 million children who will be directly impacted by the mortgage crisis. These children are not only taking a huge hit as padlocks get put on their front doors, but now they are likely taking another hit, as my colleagues on the other side of the aisle threaten to block a critical amendment that could give them relief.

My amendment authorizes $30 million in additional funding to the existing McKinney-Vento Homeless Education Program to support these children. By the way, these children didn't decide to go out and get a mortgage. They had no legal authority to make those decisions. They are the ones who get swept up in this process. They are, for all intents and purposes, the worst victims of this process.

As I said, an estimated 2 million children and young people, including 50,000 children in my home State of New Jersey, 20,000 in South Carolina, to mention one other State, and over half a million Latino children nationwide

will be directly impacted by the foreclosure crisis, placing them at risk of poor school performance, behavioral problems, and other challenges as well. What happens is they lose not only their home, they lose the school they go to. They get moved around. They don't have a home and they get moved from school to school. If you are a student—and it is not so long ago that I can't remember—and you get yanked in and out of school, in and out of school, your ability to perform is simply undercut dramatically.

In one school district in New Jersey, the number of homeless students doubled—doubled—this year, from 200 last year to 423 this school year, and that is only in one school district. The foreclosure crisis is clearly having an impact, and the time is now to stop any more schoolchildren from being affected.

An infusion of funds into the McKinney-Vento Homeless Education Program will help to ensure that students who become homeless and are forced to move from their homes do not also have to leave their schools.

There are some who may be able to shrug this off as a small sacrifice. They are the victims of this process or they are the calamities or casualties of this process, but there is nothing small about the impact of changing schools during this type of crisis. These children are less likely to perform at grade level in math and reading, more likely to be held back, less likely to graduate. There are long-term consequences to what for some may seem a short-term crisis.

They are likely to have behavioral issues. One study found that kids forced to move frequently were 77 percent more likely to have behavior problems than their peers. Another study found they were 20 percent more likely to have violent behavior. Now, what is the cost going to be to us collectively in our society when that happens?

At the end of the day, these children are forced to say goodbye to not only their home they grew up in and have had to leave their friends behind, but they also have had to leave behind familiar schools and supportive teachers and return to a strange home at night where their lives are often turned upside down. All stability is gone. They are thrown into a riptide with no lifevest, while we sit here in Washington hoping they survive the storm. Hoping is not enough. We have to do more than hope for them; we have to give them a lifeline. This funding would actually help these children.

The McKinney-Vento Homeless Education Program provides homeless students with a variety of supports such as transportation to school, tutoring, and counseling.

Children are the voiceless victims of the foreclosure crisis. As we lower interest rates, as we support the home building industry, as we reform mortgage lending practices, several children's organizations and education organizations have asked for this amendment as a modest way that our Nation can support the nearly 2 million children who are suffering the consequences of decisions made completely outside of their control.

The foreclosure crisis is damaging our economy, yes, but let us not forget the children are the real victims of this crisis, and—even worse—they are the silent victims. They can't speak up for themselves. They have no lobbyist here in Washington roaming the halls, advocating for them. It is not fair that these children get lost in the paperwork. They deserve our full support.

This amendment is cosponsored by several of our colleagues, including Senator MURRAY and Senator BROWN, and it has the full support of Senator KENNEDY. I wish to thank Senator ENZI, who worked with me on the language for this amendment to make it acceptable, and Senators DODD and SHELBY, the chair and the ranking member of the committee, who agreed to include it in their provision in the managers' amendment. Had I known that in fact we were going to have the objection of one of our colleagues to a bipartisan package, I would have sought an individual vote, but I am beyond that ability today.

In conclusion, USA Today, the Los Angeles Times, and the Chicago Tribune have all written about this critical issue, and a number of respected groups also support this amendment, including First Focus, the National Association for the Education of Homeless Children and Youth, the National School Boards Association, and the National Education Association, to name a few.

We have an opportunity to do something for these children. I hear great speeches on the Senate floor about family and values and the value of families and the value of our children and how our children are, in fact, our No. 1 asset, and that is true as a nation. They are also our most vulnerable asset. Yet when it comes time to be able to help these children, the question is: Is Congress going to listen?

Our colleague on the other side of the aisle seems to not be listening to their challenges and their pleas. One Member is likely going to block this and other important amendments, and the result is that our children, once again, are going to be unheard and are going to be the victims of something they had no role in creating; something that, in fact, where they are going to find themselves not only homeless but also having the foundation of their educational opportunities completely disrupted in a way that will more likely create failure than success.

I hope my colleagues who talk about family values understand the important value of helping our children in this regard. We have to reconsider our priorities, and I, for one, don't intend to rest until these children receive our help and get our support.

With that, Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. DEMINT. Thank you, Madam President.

Legend has it that as Rome burned many years ago, the Emperor Nero stood on his balcony and fiddled. Now, we know he wasn't exactly fiddling because the fiddle was not invented until over 1,000 years later, but we do know that he became synonymous with people who don't get it, who don't get the urgency and the seriousness of the issues they are dealing with. If there has ever been an organization that fit that metaphor better than Nero himself, it is this Congress, because clearly Congress is fiddling while America is burning.

Americans are hurting. It is no exaggeration. We hear it talked about here on the floor, but all we do is talk about it. Gas prices are literally tearing families apart. Electric utilities have announced they will raise their rates by over 30 percent because of the increase in the cost of fuels. The speeches here on the floor of the Senate have tried to blame everyone but the people who are responsible. We try to blame big oil or speculators or Bush, when anyone—any thinking American who looks in—can conclude immediately that over the last 20 years this Congress has stopped the development of American energy and allowed us to be held hostage by other countries and has allowed prices to go up to the point that Americans are now being badly hurt.

What do we do when it becomes obvious that our lack of energy and our dependence on foreign oil is raising the prices to the point that Americans can no longer live; that $700 billion a year is leaving our country, devaluing our dollars, and causing us to borrow more and more money as a nation? At a time of war, at a time of debt and economic downturn, what do we do? Well, I can hear the fiddling coming from the majority leader's office and the Democratic cloakroom. The fiddling is filling this place up because all we are doing is fiddling.

We are talking about climate change legislation that would add huge taxes to energy in America and run more jobs offshore. We have spent this week talking about how we are going to bail out the mortgage industry which made loans that they shouldn't have made for people buying homes that were more expensive than they could afford. We want to bail them out. We want to borrow over $300 million from the future—from our kids and grandkids. We are doing this while people at home are hurting because of the cost of energy and gas prices.

Now, incredibly enough, the fiddling noise gets louder, because the majority leader wants to go to a foreign aid package. He wants to borrow $50 billion more and send it to different parts of the world—with good reason, for good causes. Certainly HIV and AIDS in Africa and other parts of the world is a

distressing problem that we would love to help with as Americans if we could. However, at a time when Americans are hurting, when we are at war, when the economy is in downturn and our country is facing debts we have never seen before, should we borrow another $50 billion and spend another week debating while we fiddle instead of doing something to increase the energy supply here in America?

It is time for us to act as a Congress. Americans expect us to act as a Congress to open up America's energy, to develop more supply as we develop alternatives and learn to use less. We cannot allow ourselves to be brought to our knees as a nation because we are so unwilling to do what anyone with common sense would tell us we need to do, and that is open our own energy supplies.

It is incredible, if you look at the last 20 years, that we have cut off nuclear generation and natural gas development, oil and gasoline, and now we are trying to blame someone else. Congress does not get it. Congress does not recognize the seriousness of what is going on. We want to change the subject, and that is what the majority leader is trying to do now—go to another subject and spend another week doing something else, giving away more American resources, selling off and borrowing on our future. It is time that we do something. I agree with the Senator from Louisiana and his unanimous consent request.

I advise the majority that I will make a unanimous consent request at this time. I am not sure if the Chair is ready to deal with this. Would the Parliamentarian advise me if I can make that request now?

The PRESIDING OFFICER. The Chair, in my capacity as a Senator from Minnesota, on behalf of leadership, objects to that.

Mr. DEMINT. Well, before we start fiddling, I have not made the request yet.

I ask unanimous consent that upon disposition of H.R. 3221, the housing legislation, the Senate immediately proceed to the consideration of Calendar No. 854, which is S. 3202, the Gas Price Reduction Act, a bill to address record-high gas prices at the pump.

I further ask unanimous consent that there be 4 hours of general debate, equally divided; that upon the use or yielding back of time the Senate then proceed to consider amendments to the bill in a full and open amendment process, as is the tradition of the Senate.

The PRESIDING OFFICER. As Senator MENENDEZ did, in my capacity as a Senator from Minnesota, on behalf of leadership, I object.

Mr. DEMINT. Obviously, I am disappointed that we are still unwilling to address a very basic energy bill that would open deep sea exploration in our country and would allow us to access oil shale in the middle of the United States to help create incentives for electric cars.

These are simple things that Americans know we need to do. We need to proceed to it immediately, and we need to stop fiddling. We don't need to spend another week talking about foreign aid when we have yet to help Americans who have elected us to support them in our own country.

I yield the floor.

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

Mr. GREGG. Madam President, are we in morning business?

The PRESIDING OFFICER. The Senate is considering the motion to disagree with the House amendment. Senators can request to speak as in morning business.

Mr. GREGG. I will speak on the bill. I wish to associate myself with the comments of the Senator from South Carolina. I am not sure why, when it is costing $4.40 to put a gallon of gas in your car, when we are looking at a winter where energy prices may be as high as $5 a gallon, which is going to just overwhelm and create a horrific situation in parts of the country like my own, where people's ability to survive depends on their ability to buy heating oil, why we would be moving to a bill which essentially, dramatically expands an AIDS program in Africa.

Now, the PETFAR Program has been a success, and I congratulate the administration for initiating it. We, as a people, are very compassionate. We have made a commitment to Africa and the nations there to help them with this terrible AIDS epidemic they are dealing with. There is no question but to take a hard look at this program and making some good decisions on improving it is appropriate. But certainly on our list of priorities it should not be above doing something substantive on the issue of how we increase supply in the area of energy in this country and how we energize more conservation in the area of energy in this country.

We, as a people, need to pursue a course of more production—American production—and more conservation. There is much this Congress can do to assist in this area. It needs to be done now because—at least in production—there is significant lead time. But the one thing we could do which would affect the price of oil and which would impact the speculation in the marketplace that is occurring today is to make it clear that we, as a government, are going to support initiatives that are reasonable, environmentally sound, and will produce significant amounts of new energy through production. That will have an immediate impact on those folks out there who are driving up the price of oil.

The price of oil is driven up as a result of people presuming that supply will be stagnant and will not expand and, therefore, demand, as it goes up, will increase price. If we can put in place policies which increase production, and therefore supply, and make an American product, we will do two very good things: We will reduce the speculation in the price of oil and thus cause it to go down. Secondly, we will actually be producing American product and spending American dollars—hard-earned dollars—in America rather than sending them over to nations many of which don't like us to begin with.

So there are at least three major areas of production we should be pursuing and which we need legislation on to pursue. The first is drilling on the Outer Continental Shelf. We know we have years and years of supply in the Outer Continental Shelf. But it is locked up by legislation that was initiated by the other side of the aisle, which essentially took off limits almost all the new, available resources on the Outer Continental Shelf. What has been proposed and what is a reasonable approach is that States that believe they are willing to pursue drilling off of their shores—over the horizon, by the way, 50 miles out in most instances—following the example of Louisiana, for example, and Mississippi and Alabama which already do this, States such as Virginia, for example, which has said they may be willing to pursue these resources, that they be given the option to do that and not be told they cannot do it, which is what the law says now. That is reasonable. It will open a huge amount of potential supply of both oil and natural gas.

In addition, we know we have more oil reserves in oil shale in three States—Colorado, Wyoming, and Utah—than all of Saudi Arabia has. We have three times the amount of reserves Saudi Arabia has, and the oil shale can be recovered in an environmentally sound way, and the recovery doesn't require anything to happen at the surface. It is all done under the surface. The technology is there and it is viable and it is economically viable when oil exceeds $70 a barrel or maybe $60 a barrel. We know we can do it.

But we are stopped from doing it by rules and regulations put in place by the Congress and by the prior administration. We ought to revisit those. We ought to debate those on the floor of the Senate. We ought to be willing, in my opinion, to pursue programs that will, in an environmentally sound way, use that oil resource, which is so huge—huge—and which is American oil. We will be using American product rather than product that comes from nations that not only don't like us but, in some cases, want to do us harm.

Thirdly, we have the issue of nuclear power. France gets 80 percent of its energy from nuclear power. China is adding new nuclear powerplants all the time. We have not added a new nuclear powerplant since the late 1980s. Nuclear power is clean energy. People who are concerned about the environment—as many of us are, and I think most people are—and about the issue of global warming, nuclear power is an energy source that has no impact at all on global warming. It has no emissions.

We know how to make nuclear powerplants that are safe. Nobody has ever died in a nuclear accident in this country. More important, when you look at nuclear power as an energy source, it is American made, American produced, and it means that instead of having to buy product from overseas to produce our electrical energy, we can produce it here with American product, made in America through nuclear powerplants. We should be adding nuclear powerplants. We made some improvements in the regulatory process, but it still is an extraordinarily long process to bring on line nuclear powerplants.

In fact, in France, I think it takes something like less than 2 years to license and get a powerplant on line. In the United States, we are looking at 4½ years, or something like that, to license it, to get the plant under construction. It takes longer to construct them, obviously.

So there are things we can do in this area. Those are the areas of production we should be aggressively looking at. They are controversial, and they should not be at a time when oil is at $140 a barrel and gasoline is costing us $4.50 a gallon and home heating oil is costing as much as $4.85 a gallon. At a time like this, we should be looking at those resources that can be produced in the United States and that will take the pressure off of our economy.

One of the big problems with the price of oil and energy and gasoline, beyond the fact that it is stretching the average American's budget, people are legitimately worried and fearful about what will happen to them this winter. One of the other consequences of the price is that we are taking a huge amount of American capital, hundreds of billions of dollars' worth a year, and instead of retaining it in the United States where it can be used and reinvested and produce jobs, it is being sent overseas on a daily basis. Some of it is coming back through investments in our bonds, but we are then paying interest to foreign governments and foreign individuals.

It would be much smarter of us to try to reduce our dependence on foreign oil by increasing domestic production. We need to aggressively pursue programs of conservation and renewables also. That is why the Ensign-Cantwell bill on extending renewable tax credits is so important. I am sorry we have not been able to get to that and it has been blocked. That should be passed. Clearly, conservation needs to be aggressively pushed.

So we should be producing more, and we should be using less. What we should be producing more of is American product. I think next week, rather than debating whether we should expand a foreign aid program by three times—the program was initially a $15 billion program, and it is proposed to take it up to $50 billion—rather than debating that, an authorization bill, we should be focusing on what America really needs to have done today, which is address the energy needs.

I understand the Senator from Texas may make a unanimous consent request here. If he does, I certainly hope it will be accepted. It is reasonable that we should be pursuing and addressing those in the Senate—how we are going to produce more and use less.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. CORNYN. Madam President, I want to say to the Senator from New Hampshire that I agree with virtually every word he said about the urgency of this issue. Frankly, I do not understand why next week, as reported, if it is true, we intend to turn to a foreign aid package of $50 billion, which is authorization for new spending which is not offset in any way—in other words, our children and grandchildren will end up paying the price—instead of dealing with what is the most urgent problem facing the country, which is the impact of high gasoline and high energy prices.

The Senator from New Jersey, Mr. MENENDEZ, said it was the majority leader's intention to bring an energy bill to the floor sometime before we break in August. I hope that is true. It is welcome news if that is, in fact, the case, and I would love to have the majority leader reassure us that is his intention.

I do not think it is responsible for Congress to adjourn for the August recess, I do not think it is responsible for us to go home having not done anything to help the American people with the pain they are feeling at the pump which, of course, is rippling through our economy in hundreds of ways, not the least of which is driving up the cost of food because of the increased energy consumption for our farmers to grow it, harvest it, and then get it to markets. It is hard for me to think of an issue that is more urgent in terms of our economy.

The housing bill which is on the floor today and which has been on the floor for a while is an important piece of legislation. But I tell you, Madam President, I believe if we are successful in dealing with the subprime loan crisis and housing crisis, the economic impact of high energy costs may well dwarf the impact of that on our economy and the ripple effect, as I say, that it will have.

I hope the Energy bill the distinguished Senator from New Jersey, Mr. MENENDEZ, mentioned that the majority leader plans to bring to the floor includes something other than what our friends on the other side of the aisle have proposed previously when it comes to so-called Energy bills, things such as windfall profits taxes, which has been tried before and found to actually diminish domestic production in this country in a time when we ought to be encouraging more production so we rely less on imported energy from places such as the Middle East.

Then there is this idea which I can only characterize as crazy of suing OPEC, the Organization of Petroleum Exporting Countries, not the least of which I wonder where in the world you are going to find a court that somehow is going to accept jurisdiction of an antitrust claim against sovereign foreign nations and what the impact would be in terms of waiving of our sovereign immunity to allow suits to go forward in those other countries. I think it would have a dramatic impact on our international relationships. But assuming you could do it, what would you ask the judge? What kind of relief would you ask the judge to award if, in fact, we could have a lawsuit against the Organization of Petroleum Exporting Countries? The only one I can think of is ask the judge to order them to turn the spigot open wider, which does nothing to diminish our dependency, which does everything to increase our dependence.

The fact is, if you talk to any impartial observer, you will find out there is rising demand for the oil that is being produced globally in countries such as China and India, with more than a billion people each. They are buying cars, they are consuming gasoline, and they are using more and more oil. The problem really is multifaceted but primarily driven by increased global demand because other countries want the kind of prosperity we have come to enjoy by making a claim to 20 percent of the oil being produced globally, using 20 percent of it right here in the United States.

I agree with the Senator from New Hampshire, who says we need a multipronged approach. We need to become less wasteful and more efficient and conserve energy because it makes sense to do so. It is the responsible thing to do. But then we need to deal with more than just the demand side. We need to deal with more supply.

It has been interesting to me to see polling that has been done over the last few months which has demonstrated a pretty dramatic change in attitude of the American people. It is one thing to say we don't want to explore and produce oil from the submerged lands along the coastline of the United States or to go onto the western lands where the oil shale lies or to go to Alaska, to the Arctic, where Alaskans overwhelmingly want to allow production. It is one thing to say we are not going to do that when gasoline is at $2 a gallon. It is another to say we are not going to do that when gasoline is at $4.11 a gallon, which it is on national average today.

Of course, there is really no indication whatsoever that prices are going to continue to go anywhere but up because demand is going to continue to go up and prices are going to continue to go up if supply remains static. That is good old supply and demand.

We do need, particularly as we transition to different types of alternative energy, particularly when it comes to transportation, things such as coal-to-liquid technology that has been used by the U.S. Air Force to make jet fuel

to fly our B–1 bombers and B–52s. We know the technology exists, so why aren't we doing more of it? We need to be doing more of that, to find alternatives to dependency on oil.

We also need to be doing more when it comes to electricity generation because ultimately we are going to be driving around in a different fashion in the years to come than we are today, perhaps in vehicles such as plug-in hybrid cars, which are going to be introduced by many of the major car manufacturers come 2010, where you literally will have a battery in a car you can plug into an outlet at night and drive that car the next day. Again, the electricity is going to have to come from somewhere. Right now, it comes from nuclear, natural gas, and coal.

We know the pollution concerns about burning coal. So I agree with the Senator from New Hampshire, we are going to have to increase the use of nuclear power in order to get that electricity production up as our economy continues to grow.

The consequences of Congress's inaction—and it is not just a passive inaction; it is actually the fact that Congress has imposed a ban since the early eighties on about 85 percent of our domestic energy supply in America. On the oil shale out West, there was legislation slipped into a bill just last year that banned the development of that shale out in the West that could produce a huge volume of oil.

This is perhaps the most urgent issue confronting our economy, confronting our national security, and affecting working families in the State of Texas and around the United States. The fact that Congress would even dream of taking its August recess without addressing this issue and allowing for an opportunity for an appropriate debate and offering amendments and then voting on those amendments to me is unthinkable. So I hope the majority leader will not allow us to adjourn for the month of August before we address this issue in a realistic way. I do think there is some basis for a bipartisan compromise.

I see the distinguished Democratic whip on the floor. I read—I trust these comments were reported accurately—that he said he was not opposed to domestic production. That is positive. I see the Gang of 14 who met previously on judicial nominations. Now we have a Gang of 10—5 Democrats, 5 Republicans—trying to come together in a bipartisan way and come up with a common ground and consensus when it comes to national energy policy.

But I tell you, it would be a terrible mistake for us just to deal with one aspect of this issue and to pretend like we have actually done something. For example, the issue of speculation on the commodities futures markets—there is a growing consensus on both sides of the aisle that we need to deal with this issue, but we need to be careful about it as well. Certainly, more transparency in the way this commodities futures trading system works is important. We need more cops on the street. We need more regulators to investigate to make sure there are not abuses of the commodities futures trading system.

If we are not careful, if we overreach, we could force some of that activity to other countries. I know that is not what we would want to do, is have an unintended impact of driving those jobs elsewhere.

I am more optimistic than I have been in a while about the willingness of Congress to enter into some sort of bipartisan discussion, debate, and vote, and actually do something that will get Congress out of the way and make the Federal Government part of the solution and not part of the problem when it comes to imposing moratoria and bans on production of about 85 percent of America's natural resources.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The assistant majority leader.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

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

TRIBUTE TO JOSEPH DUNN

Mr. DURBIN. Mr. President, the late Senator Paul Simon was my closest friend in politics. He was my boss for several years, and he is the reason I am in the Senate today.

Paul Simon used to like to tell the story about Meriwether Lewis, half of the fabled exploration team of Lewis and Clark. In the story—a true story—Meriwether Lewis returns to his hometown after helping lead the historic journey of the uncharted West to the Pacific coast. At a dinner in his honor, Meriwether Lewis tells the people of his hometown:

> Patriotism is not words, it's work. It's what we do.

Paul Simon believed that, and he surrounded himself with others who shared that belief. Patriotism is not words, it is works.

For Joseph Dunn, that was the creed of his political faith. Most people in the Senate have not heard of Joe Dunn, but if you care about social and economic justice and the survival of small towns, small businesses, and family farms, you would have liked him. If you live in southern Illinois, there is a good chance your life is better today because of Joe Dunn.

Joe was the quintessential smalltown American. He loved his family, his church, and his community. For 15 years, he, too, worked for Paul Simon in the House, then in the Senate. For most of that time, he was Senator Simon's downstate director in Illinois.

When Senator Simon retired in 1996, Joe took a salary cut to work for the ICCS, the Illinois Coalition of Community Services. It is a nonprofit organization whose motto is ''helping communities help themselves.'' Two years later, Joe became its director.

ICCS works with people in struggling communities in southern Illinois, mostly small farm belt and coal belt towns that have been losing jobs and residents for a long time. ICCS helps residents in those towns identify their community's specific challenges and strengths and work together for a better future.

As a friend wrote:

> Joe believed there was no community without assets, no individual devoid of talents. He spent his life working in partnership with these communities and individuals, taking advantage of their assets and talents. He was a kind, sweet, thoughtful, passionate man.

Last Friday, on the Fourth of July, Joe Dunn's caring heart stopped. He suffered a fatal heart attack while he was exercising at home. Joe was 55 years old. Joe learned the meaning of patriotism from his mother Johanna and his father Ben, a World War II POW and survivor of the Bataan Death March.

Joe learned about community growing up in Gorham, a small town in the Mississippi River Bottoms of southern Illinois bordering on the Shawnee National Forest. This is how Joe described his hometown last year:

> The median household income of Gorham is a mere $22,750. Kids have to be transported at least 12 miles to school. Most residents who work must travel an average 34 miles to their jobs. But in spite of this and the fact that you cannot buy either a loaf of bread or a gallon of gas there, Gorham remains.

Joe went on to say it is not unique.

> The isolation that poverty has brought to Gorham affects many, many other small communities in Illinois.

Joe asked:

> What can residents in such towns do to combat their isolation? They must organize . . . and be willing to work very hard to keep their sense of community intact. . . . [T]hey must also organize and join with the voices of others to let our legislators and other decisionmakers know that [residents of small towns] have the same human rights as residents of more prosperous and affluent Illinois communities.

Joe Dunn was committed to the notion that America should be a land of opportunity for all, not just for some, and he spent his life working to improve the lives of others. He worked tirelessly to better the lives of people living in poverty by changing public policy and providing creative community solutions.

Like Paul Simon, Joe believed government could be a force for good. At Eastern Illinois University, where Joe earned a degree in political science in 1975, he was the student senate speaker. He was a political natural. He knew how to build and use political power. But he used his political and organizing skills to serve others, never himself.

He brought joy wherever he went. His laughter was warm, his humor was quick but never mean. Joe always had a smile on his face.

Joe was born with a condition that left him with a pronounced limp, but he was so full of energy that you quickly forgot he had any physical limitations, and he had so much faith in the

ability of everyday people to change their lives so the people with whom ICCS were working forgot about their supposed limitations.

Under his leadership, ICCS helped dozens of communities create community development programs, neighborhood cleanup and rehabilitation programs, community policing programs, and volunteer community libraries. Joe helped establish afterschool programs and school and summer lunch programs that fed tens of thousands of young people in my State. He helped create new partnerships between community and faith-based groups, and new bridges between generations.

Before joining Senator Simon's staff, Joe worked for the Illinois Farmers Union-CETA, and he coordinated summer youth programs in four southern Illinois counties. He was a member of the Governor's Rural Affairs Council, the Illinois Poverty Summit Steering Committee, the Illinois Collaboration on Youth and the Service Learning Task Force of the Illinois State Board of Education and the Steering Committee of the Alliance of Communities for Faith and Justice.

Through these programs, and the people he inspired, Joe's work will live on.

Days before he died, Joe sent some friends an e-mail that ended with these words:

By the way, happy 4th of July, and remember that one of the most patriotic things we can do is strengthen our communities.

He was a profoundly good man who made life better for many people and a great friend of mine. I can't tell you how many times we worked together on projects in communities around our State. We had this common political heritage in Paul Simon. It rubbed off, I hope, on me but certainly on Joe Dunn. I knew Joe was going to live up to those values, those Simon values that inspired so many of us over the years.

What a tragedy it was to learn of his passing on the Fourth of July. When Kappy Scates in my downstate office contacted us, it was hard to believe. Joe was too young, too alive, too necessary. But now he is gone.

In closing, I wish to extend my deep condolences to Joe's family, especially his wife Tempa; their daughters Abby and Katie, and the two grandchildren Joe loved so much, as well as his many friends. Joe Dunn has left his legacy in my State of Illinois. His caring heart may have stopped on the Fourth of July, but his caring for the people of my State will not end.

REPUBLICAN FILIBUSTERS

Mr. President, I listened a minute ago to the Senator from Texas talking about energy, and I thought to myself: Doesn't he remember that a few weeks ago we brought energy bills to the floor and we asked him and the Republicans to join us in a bipartisan effort to deal with the gasoline prices in this country? Is he suffering from political amnesia? Has he forgotten that we tried unsuccessfully over and over to get a bipartisan group of Senators to start the debate he is begging for today?

I took a look at some of these rollcall votes to try to remember who was on which side when it came to bringing up the issues, and here we have, for example, a vote on June 10 of this year—June 10, not that long ago, less than a month ago—and we were trying to bring up the basic tax credits for energy development in this country—something that is about to expire and that we want to make sure will go forward. Unfortunately, we were stopped. On these tax extender votes of June 10, 2008, we needed 60 votes to go forward. We had 50 votes.

I looked to see what Republicans joined us in this effort. There were three. The Senator from Tennessee, Senator CORKER, Senator SMITH of Oregon, and Senator SNOWE of Maine, which led to a total of 50. We needed 60. The Senator from Texas, unfortunately, voted against starting that debate.

So he comes to the floor today and says that we surely can't leave for the August recess until we start a bipartisan debate. Sadly, on June 10, he voted against a bipartisan debate on tax extenders.

But that wasn't the only time that day he voted against a debate on energy policy. I don't wish to single him out, but he came to the floor and made the speech, and I will make it clear that many others joined him. We brought up a bill that wasn't just an extension of tax incentives so companies could start building more wind turbines and research into renewable and sustainable sources of energy. It went further. In fact, I think it was a very balanced and proactive effort to bring down gasoline prices and to try to take control of an element that is not only hurting families and businesses but our economy. We came forward with the Consumer-First Energy bill, and we said we want to debate this on a bipartisan basis.

Here is what it said. First, we are going to roll back the $17 billion in tax subsidies that we are giving the oil companies. Listen, they are turning in and reporting the biggest profits in their history. They don't need subsidies from Federal taxpayers. We could put that money to better use. What if we gave consumers across America a helping hand in paying for gasoline? What if we gave independent truckdrivers several thousand dollars to defray the expenses they are running into trying to fuel their rigs and make a living? I would rather put $17 billion in that kind of tax relief than in tax relief to ExxonMobil. But that is what we are doing. So the bill said, let's change that.

The bill also said we were going to impose a 25-percent windfall profit tax on these oil companies to let them know the sky is not the limit when it comes to profit taking. There is a point where the Federal Government will take that money back for consumers, for investment in renewable and sustainable fuels.

We also wanted to suspend oil shipments to the Strategic Petroleum Reserve for the rest of the year. Why do we keep buying this expensive oil, taking it off the market and sinking it in the ground, making it more expensive for our economy? It doesn't make sense.

We also had a provision to protect consumers from price gouging. I am afraid that is going on here. This bill gave the President the authority to declare an energy emergency and set aside excessive price increases.

We also set limitations on oil market price speculation. Most people understand that is part of the issue. We had it in our bill.

We had a clear message to OPEC by allowing enforcement actions against companies that collude to set the price of oil and natural gas.

Well, that was the bill. Those were the provisions. They could have made a difference. But in order to get that bill to the floor and to start debating it, we needed 60 votes. That is what the Senate requires, 60 votes. So we called it for consideration on June 10, 2008, and we had 51 votes. The following 6 Republicans joined 45 Democrats. COLEMAN, COLLINS, GRASSLEY, SMITH, SNOWE, and WARNER. The Senator who was just on the floor, who says we shouldn't go home in August without debating a bipartisan measure, voted not to debate a bipartisan measure on June 10, 2008.

We tried again on June 17. We believe it is important. We tried to bring up these tax extenders again to encourage the kind of investment that is necessary. Well, unfortunately, again we couldn't get 60 votes. We had 52. Republicans voting with Democrats: COLEMAN, COLLINS, CORKER, SMITH, and SNOWE. Sadly, the Senator who spoke on the floor was not among those voting to go forward on June 17. On three separate occasions he refused to vote to start the debate on this energy issue, and now he is complaining that we should be starting the debate on the energy issue.

Well, I hope he will reconsider his previous votes, and I hope he will join us in a bipartisan effort to go forward. But I must say that if we are going forward on this bill and others, then the policy and strategy of the Republican Senators has to change. This chart shows we have had 82 Republican filibusters so far in this session of Congress.

Now, people say: Is that a lot? How many do you expect? In the history of this Senate, there have never been more than 57 filibusters in a 2-year period. So far, in a little over a year, we have had 82 Republican filibusters. What is a filibuster? A filibuster is using the Senate rules to stop the debate on a bill, to stop the debate on an amendment or a nomination. Any Senator can stand and do that, and then you have to wait 30 hours and see if you can get 60 votes together to overcome that Senator's filibuster.

Well, we have 51 Democratic votes. When you do your Senate math, you find out we need nine Republicans to join us to move forward on anything. Eighty-two times the Republican Senators have stopped debate on issue after issue. On the three separate occasions that I have made reference to, when the Democratic majority of 51 tried to get 9 Republican Senators to join us in a bipartisan debate to bring down gasoline prices, to talk about investment in renewable and sustainable fuels, they refused. They give us just a few Senators. Coincidentally, most of them are up for reelection. They give us a few, but never enough to reach 60. That has been their strategy. That is the Republican strategy, the strategy of opposition to debate and moving forward.

Mrs. MURRAY. Mr. President, will the Senator from Illinois yield for a question?

Mr. DURBIN. I will be happy to yield to the Senator from Washington.

Mrs. MURRAY. I appreciate the Senator yielding. I have been listening over the last hour, as we have heard our colleagues from the other side come and excoriate us for not allowing them to bring a bill to the floor on energy and assailing the Senators on this side for prohibiting them from doing that.

That was astonishing to me because, as the Senator from Illinois knows, I have been coming to the Senate week after week and saying how much I pay for gas when I go home. It is now up to $4.45 a gallon that I paid last Sunday. I have been a part of this majority that has tried to bring a bill to the floor to deal with renewable energy, to try to deal with the issue of speculation, and to try to deal with a number of issues. How many times now have we been blocked from bringing an energy bill to the floor to deal with these gas prices?

Mr. DURBIN. In the last 6 weeks, we have been blocked three different times by the Republicans, who refuse to give us the necessary 60 votes to bring the bill to the floor—something they are now complaining about. Some of the Senators complaining the loudest voted against having a bipartisan debate on an energy bill.

I guess they think the CONGRESSIONAL RECORD is written in disappearing ink; that we don't have a permanent record here of their votes. We do. We know where they have been. We know how they have voted.

I wish to say something else for the Senator from Washington, and I am sure she will agree. They come and argue that the Democrats are against domestic exploration for oil. That is not true. I don't know of a single Democrat, I don't know of a single Senator who is against domestic exploration and production of oil. In fact, as the Senator from Washington knows, we have 68 million federally owned acres that we lease to the oil companies for exploration and production of oil and gas.

Mrs. MURRAY. Well, Mr. President, if the Senator will once again yield, didn't we do a bill several years ago to actually add 8 million acres to that, to allow more drilling?

Mr. DURBIN. Yes. So we had the 68 million, and we added the 8 million just a year ago—in the Caribbean, if I am not mistaken—in offshore drilling. So there is this pool of opportunity for the oil and gas companies. They must be opportunities because they are paying us, the Federal Government, a lease. They believe there could be oil and gas there. But when you ask the question: Well, how much are they drilling of that 68 million, it turns out about a fourth of it. A fourth of it.

So you have some 34 million acres offshore of Federal land available to the oil companies, and they could be drilling it right now.

Mrs. MURRAY. Mr. President, if the Senator will continue to yield, if I am not incorrect, I believe that 68 million doesn't include the additional millions of acres off the shore of Alaska that they also are allowed to drill in and that they currently aren't drilling in.

Mr. DURBIN. That is right. I don't know the exact number in Alaska, but there are a significant number of acres, millions of acres available off Alaska where they can be drilling.

So I would say to the Senator from Washington, if they have so many millions of acres available for drilling, why is it that they are making the argument that they don't have any opportunities here for drilling and exploration? I think it is, frankly, because they have no other answer.

What it boils down to is that for 8 years we have had two oilmen at the highest levels of Government in America. When you do the math, 8 years, divided by two oilmen, equals $4 gas. That is what we are paying.

I wish to thank Senator WHITEHOUSE for inspiring me. I helped him with the mathematical equation on this, but it was his inspiration that led to that last statement. I would say that is part of the problem. Any President looking at the mess in our economy and the hardship imposed on American families and businesses would have called the oil executives in a long time ago. Not this President. He used to be in the same fraternity. He was in the oil business. Many of them believe this is the way it works; this is the market at work.

If this is the market at work, we better take a look at the market because it is destroying America's economy—cutting back on airlines, reducing the number of flights, reducing the number of employees. All that tells me is that we need some leadership. Leadership will not be served by Senators coming to the floor, who voted to maintain filibusters, and then beg us to start a debate. That is what it is all about. They had their chance and they didn't join us.

I would say at this point, before I yield the floor, we need to tackle this issue. There is no more important issue facing America today. We need exploration. We need to have investment in new opportunities. We need to be aggressive. We need to move right now.

We need, for example, to move to a point where we are not putting oil into SPR, the Strategic Petroleum Reserve, but actually taking it out and selling it and the proceeds will be used to not only bring down the price of oil in that sale but the proceeds are used to help American consumers, families, and business get through this energy crisis we face as a nation. We have to stop this indefensible subsidy of American oil companies at a time when they are reporting the highest profits in history. Put that money back into the economy for the right investments. We need a windfall profits tax to stop what is going on there, excessive profit-taking at the expense of the people who get up and go to work every day, and stop the price gouging and speculation that is leading to higher prices for oil and gasoline. This is the kind of initiative we need.

That was included in the bill on June 10 which the Senator from Texas voted not to take up and not debate. I want to take it up. I am ready to do that at any time the Senator from Texas wishes.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, I thank my colleague from Illinois for coming and highlighting the number of times we have tried to bring a bill to the floor to deal with the very critical energy crisis that is in front of us. There is no doubt this is harming Americans today. For our friends at home and for all of us, when we have to pay $4.45 a gallon, as I did last weekend, that means we will not have as much money to spend on other things. We are hearing about people who are cutting back at the grocery stores, not being able to even go to work because they cannot afford the price to put the fuel into their car to be able to go to work. This has a huge impact. It has an impact on our schools and our communities, that are trying to get their schoolbuses ready for the fall and wondering how they are ever going to be able to budget for that. It is affecting our truckdrivers in tremendous ways as they try to get their goods to market. It is affecting every single American family, every single business, every single community, every single government agency.

It is an issue that we on this side of the aisle believe we have a responsibility to address. We have tried to bring a bill to the floor, not once, not twice, but three times, and have faced a filibuster from the other side.

We are going to keep working and keep trying to get to a point where we can finally address this. I think all of us recognize there are two oil men in the White House and it is going to take an election for us to get to the long-term issues we need to address in this

Nation. But there are things we can do today. We want to do them today. As Democrats we are going to keep working because America deserves it.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. SALAZAR. Mr. President, I come to the floor today to again urge my colleagues to join in the leadership of Senator DODD and his efforts to address one of the crises of economics we have going on in America today and that is the housing crisis which is causing so much pain all across America, in each of our respective States. It is causing pain to those who own their homes and are losing their homes, but it is also causing pain to so many homeowners across America whose dream of home ownership is being torn asunder as they are seeing their home value decline in unprecedented ways. I think it is incumbent upon this Congress to take action to move forward to try to create an environment that puts together this cornerstone of our economy which has been so crumbled by all of the difficulties it has had over the last several years.

In my home State of Colorado, we have seen a very significant increase in the number of foreclosures. In 2007 in Colorado, as you can see on this chart, approximately 1 per 45 households—1 per 45 households—filed foreclosure. That is the equivalent to nearly 40,000 foreclosures that were filed across my State of Colorado. That is up nearly 200 percent in a 5-year time period. If you look back at the years 2003 and 2004, 2005, 2006, 2007, we see what is happening: The number of foreclosures is rising at an extraordinary level. That rise in foreclosure levels is not something we can say is over. We can't say this is an economic phenomenon we have been through and that we have already gotten to the end and, therefore, the times ahead of us are rosy. We are facing some difficult times ahead of us as we deal with the housing crisis.

This next chart is a projection of where we see ourselves going in Colorado. This is information provided by the Center for Responsible Lending, which indicates that in the year 2008 and the year 2009, as the adjustable rate mortgages continue to adjust upward, we are going to see additional foreclosures in the State of Colorado. It is expected that this year, 2008, and into 2009, we are going to have almost 50,000 additional foreclosures. So if we have an additional 50,000 foreclosures in the State of Colorado, what is the consequence to others?

First, there is a consequence, of course, to those who lose their homes. There are some from whom I have heard, including people who are in their 60s, who are not able to continue to make the payment on their homes and who end up in their later years of life essentially losing their dream of home ownership because they cannot afford the higher rates, the higher payment rates that come about through adjustment of the ARMs. So it definitely affects those people who have to go through foreclosure in huge, significant, and very painful ways. But it also affects others, because it is surrounding homes in the neighborhoods that are affected by the decline in home values. In my State alone, it is estimated that about 750,000 homes will have declining values over the next several years. That is almost half of the housing stock within the State of Colorado. So we have a lot of pain going on with respect to what is happening in the home world.

There are many people who have seen these signs, I am sure, as people have driven through their neighborhoods throughout the State of Colorado. We see these kinds of signs. They are commonplace. We see them in counties such as Adam County, Denver, Conejos County; we see them in Pueblo County and all over the place where people have had a hard time selling their homes. We see these signs that say ''Price Reduced'' time and time again. That is, in fact, something which is commonplace.

It is also true that there are things that can be done to help us address this issue. This is a sign from our foreclosure hotline in Colorado. That foreclosure hotline has been set up as our central source for people who are having a problem with respect to staying in their homes to be able to make a telephone call to try to see whether they can get some assistance to be able to stay in their home. We have had more than 29,000 Coloradans call this foreclosure hotline over the last several months. The foreclosure hotline in Colorado has been able to provide major assistance to the people of the State of Colorado who call in for assistance. About 80 percent of the people who call the foreclosure hotline end up creating some kind of negotiation with their lender that ultimately allows them to stay in their home. That is good for the homeowner because they can stay in their home, and it is good for the lender as well because they don't go through the things they have to go through with the costs incurred in foreclosing on a home, restoring the home, and selling the home.

Senator DODD and his committee have been working on trying to address one of the most significant pains affecting the people in America today—and rest assured, there is pain in America. This dream of our economic engine is somewhat teetering. When we look at what is happening with the high rise in the cost of gas, and we see what is happening with the high cost of health care, and all the rest of the costs that are economic pocketbook issues affecting America, they are saying why isn't our Government helping in terms of addressing some of the fundamental issues at stake here?

The housing legislation, which has been crafted and worked on by Senator DODD and others, is an effort to try to address this housing crisis. I hope we are able to move forward with that legislation very soon, because we need to start restoring confidence on the part of the American people that we can address some of these critical issues facing us in America at this time.

This is not a Republican or Democratic or Independent issue. The issue of home ownership and the issue of having a strong housing market, a strong housing construction industry, that is an American issue, an American challenge we all face. So we need to come together to push this legislation and get it done and get it to the President for his signature as soon as possible.

For those who will try to create obstruction along the way to have us continue to not be able to get to this are doing a disservice to the American people. We need to address this housing crisis. Senator DODD and those who have worked on this legislation for a long time are giving us that opportunity. I hope before the end of the day we will be able to take a significant step toward creating the remedy that will provide some relief to those suffering from this housing crisis in America today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, I will speak on another matter, if I may, but first I thank my colleague from Colorado for his kind comments about the efforts we made on the housing bill. I thank him for his observations about his own State and what is going on there with the people in the western part of our country.

This issue is a national problem. I think there are occasions when people assume this is a localized issue in a few spots in the Nation. Unfortunately, we have all learned, painfully, with more and more news that comes out that this problem is in every State; in some, it is far more pronounced. In my State, we have had about 15,000 foreclosures, and another 12,000 are anticipated this year—in a State of 3 million people. Home values have come down.

I appreciate the Senator's comments about what is going on and his appreciation of what we are trying to do with this bill. Every single day, between 8,000 and 9,000 people file for foreclosure. In the month of June, 250,000 people moved into that category. Those are the numbers. As I said this morning, those are families—a mother, father, and maybe children—who have to find alternative living conditions because they are about to lose their homes. Think about that on an individual basis, what it means, and the fact that we have had to take so

long on this bill that could have been, frankly, passed a week or more ago. Colleagues on both sides of the political aisle have expressed strong support for our efforts. A handful of people here have slowed this down and done everything in their power to derail this effort.

This morning's vote of 84 to 12 once again indicates the strong desire by most of us here to get something done on this issue. I thank my colleague for his generous comments and help in this effort.

Mr. SALAZAR. I thank the Senator.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

(The remarks of Mr. DODD and Mr. LEVIN pertaining to the introduction of S. 3252 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

ENERGY CRISIS

Mr. DORGAN. Mr. President, I have noticed that late this afternoon a number of speakers have come to the floor of the Senate decrying the fact that there is not oil drilling here or there or elsewhere and suggesting that they and they alone have the answer to our energy problems. I wish to respond by saying this issue of drilling for oil is an important issue. I, along with my colleagues, Senator BINGAMAN, Senator DOMENICI, and Senator Talent, introduced the bill in the Senate that opened what is called Lease 181 in the Gulf of Mexico. That is now law. We now have companies exploring for oil and gas in Lease 181 in the Gulf of Mexico. Why? Because I think it makes sense to do that. If you take a look at the oil reserves in Outer Continental Shelf, in the Gulf of Mexico, off the west coast, and off Alaska, by far the majority of the available reserves are in the Gulf of Mexico.

But having said all that, we are already drilling in a lot of areas—including in North Dakota. I asked the U.S. Geological Survey to do an assessment of oil resources in what is called the Bakken Shale formation in North Dakota. I asked them to perform the assessment about 2 years ago. They completed their report a couple months ago, and they estimated that there is 3.6 to 4.3 billion barrels of recoverable oil using today's technology in eastern Montana and western North Dakota. So now we have nearly 80 drilling rigs drilling in western North Dakota. I don't know how many are in Montana, but there is a substantial amount of drilling activity, which I strongly support.

This is the largest assessment of recoverable oil ever made in the lower 48 States. Let me say that again. The U.S. Geological Survey just completed its assessment that there is up to 4.3 billion barrels of recoverable oil using today's technology and we have oil companies there drilling and I support it. We are drilling in this country, in North Dakota, eastern Montana, and we have other oilfields. This happens to be a brand new one, the biggest assessment ever made in the lower 48. It is exciting, in my judgment.

As I indicated, we have activity happening now in Lease 181 in the Gulf because we opened that. Off of Cuba, it is estimated that there is a half million barrels a day that is available for leasing by the Cubans. Many countries have leases there—Spain is there, Canada is there, India is there, and Venezuela is there. They are very interested. But our companies can't secure the leases because the Bush administration says, no, we can't drill in Cuban waters. We have this embargo with respect to Cuba. So there is a half million barrels that our oil companies can't produce.

I say to my colleagues: You want to drill? Let's allow our companies to go access some of that off the coast of Cuba. China wants to be there, and India wants to be there, but we can't be there.

The fact is we need to do a lot of things and do a lot of things well if we are going to address this energy issue. Now, the price of oil is bouncing around at $140, $144 a barrel. My understanding is that in the last 4 or 5 minutes of trading today, it went up, I was told, $4 or $5 a barrel. There is unbelievable, relentless, in my judgment reckless, speculation going on in the oil futures market. Now, it wouldn't matter so much if these were future markets dealing with something that wasn't so essential to the economic well-being of our country, but our country desperately needs oil. We run on oil. The fact is we use a prodigious amount of it.

I have described before, on many occasions, the way this works. We have a substantial amount of oil halfway around the world under the sands. That is where there is a lot of the oil. The largest reserve is in Saudi Arabia, second and third is either Iran or Iraq, depending on how you count reserves in those two countries. So the largest reserve is in Saudi Arabia, then Iran and Iraq. But where is the largest demand? Well, here in the United States.

We suck out 86 million barrels a day from this planet. Of that 86 million barrels of oil we suck out from these little straws called drilling rigs and pumps, we use one-fourth of it here in this spot on the planet called the United States of America. We are big users of energy.

So what do we do to address this issue when oil prices spike like Roman candles to $140 a barrel, and it does enormous damage to our country, to our economy, and injures farmers, families, truckers, and airlines? What do we do? We do a lot of everything, it seems to me.

I described that we are drilling exciting new wells in our region of the country. We are going to be drilling in Lease 181 in the Gulf of Mexico. But in addition to drilling, we need to do a lot more. We need substantial, aggressive conservation. We need significant efficiency and conservation. Everything we use throughout the day—if we turn a switch, push a button, dial a knob, turn a key—everything we do all day long has to do with energy. We get up in the morning and we want light, in the closet, in the bedroom. We use our finger to flip a switch, not understanding, of course, so much—because we take it for granted—that is energy. Perhaps we use an electric razor, then heat a pot of coffee, then put a key in the ignition of a vehicle. Every one of those actions is using energy, and we never give it a second thought.

Now, all the things we have—yes, including air-conditioners and refrigerators—can be made much, much, much more efficient. We are getting rid of the incandescent light bulb. It will not be long until you will never see another one because we can find ways to produce light for all our manufacturing facilities and our homes all across this country with 80 percent less electricity than we now use. So we need to engage in conservation, efficiency, and then renewables.

Now, renewables represent something our country ought to say to the world: Here is where we are headed. Yes, we are going to drill some and do all these things. We are going to conserve and develop more efficient methods of using all this electricity. But it is also the case that renewables represent a significant opportunity. Renewables, with respect to wind energy and solar and biomass and biofuels.

You know what we have done for renewables? Well, in 1992, the Congress put in place something called the production tax credit—a tax incentive for renewables. But it was short term and not very deep. So we have extended it five times, short term. By the way, the production tax credit will expire at the end of this year. We have extended it five times, and we let it expire three times. So anybody interested in investing in renewables will take a look at this country and say: You don't have much of a commitment to renewables. Look what you have done, stutter, start, stop. That is not a commitment.

Here is what we did for oil. In 1916, we put in place tax incentives—big, juicy, fat tax incentives—and we said: We want you to go look for oil and gas. If you find them, good for you because that is good for our country, and you get big tax incentives. We put the incentives in place in 1916 and they have stayed forever. What did we do for renewables? Well, in 1992 we gave them a tax credit, which has gone through the phases of start, stop, start, stop, expire. That is a pathetic, anemic response by a country that acts like it doesn't care very much.

I have introduced legislation in this Congress that says: You know what, we ought to put in place a production tax credit for renewables for 10 years. We ought to say to the world: Here is where we are headed, and you can count on it. Here is what we believe in, and you can count on it. This country is making a significant concerted effort for renewable energy, to be less dependent on the Saudis, the Kuwaitis, the Venezuelans, and others. That is what our country has a responsibility to do.

So we need to do a lot of things. At the moment, however, I wish to concentrate on not the myriad of things we must do and do well, but I wish to talk about the urgent need to do something that addresses this spike, this unbelievable spike in oil prices and, therefore, gasoline prices that has happened in the last 12 to 14 months.

There is nothing in the supply and demand of oil that justifies this kind of a price spike. Nothing. In fact, if anything, demand is down. Today's newspaper describes that we are using 2 percent less gasoline here in this country. The first 4 of 5 months in this country we had increased inventory of crude oil stocks. Inventory is up, demand is down. What happens to price? It goes straight up. Why? Because there is excess speculation in the futures market.

Those futures markets were designed for a specific purpose and that was to allow producers and consumers to hedge risk of a physical product—perfectly legitimate and an important thing to do. It has now, in my judgment, been taken over by excess speculation. Franklin Delano Roosevelt warned about that in 1936, when he signed the legislation that created this market.

Now we have unbelievable speculation in this market. The new pension funds and others that have come into this marketplace in a few short years have spiked from investing somewhere around $13 billion to $260 billion. Are the people flooding into this marketplace wanting to hold a 5-gallon can of oil? No, these interests never want to touch oil. They never want to own oil. They want to do what Will Rogers talked about 80 years ago: They want to buy what they will never get from people who never had it and make money on both sides. And then walk around with a permanent grin, walking into the bank with our money to make their deposits. Yes, the OPEC countries do that and so do these speculators as they have driven up the prices. The problem is it injures this country's economy.

It is devastating, for example, to various industries—the trucking industry, the airline industry, and farming to have such high oil prices. It's also devastating to ordinary consumers, trying to figure out how on Earth do I scrape up the money to fill my gas tank to be able to drive back and forth to work. How do I do that?

Now, I think we have a responsibility to address this excess speculation. When markets are broken, we have a responsibility to address it. I have often said I taught economics ever so briefly in college. I taught a little economics, and I kid people by saying I was able to overcome that experience. Economics is psychology pumped up with a little helium. People think: Well, we know this produces that, there is an action and a reaction—supply and demand. We all understand that. The problem is, at the moment, if you take a look at this country, its economy, and what the psychology of the American people is as they look at what is happening in this country, there is a pretty good reason to be very concerned about the future and a pretty good reason to believe we need action that is urgent, important action that actually has some grip and some teeth.

We have been through a subprime loan scandal. The credit markets were frozen. The fact is we had an orgy of greed in these credit markets and a lot of problems still exist. In fact, some of the resets on some of these bad mortgages are still in front of us. So take a look at that kind of a credit crisis and the subprime loan scandal and then combine that with the issue of the deficits, dramatic Federal budget deficits because we are fighting a war the President will not pay for. He says everything we use for this war, I want to borrow, and he has borrowed almost three-quarters of a trillion dollars for it. He refuses to pay for it. I will send the soldiers to war, and I ask the American people to go shopping, he says.

The subprime loan scandal, unbelievable fiscal policy recklessness, a trade policy out of balance over $700 billion a year. You can't do that. Then, on top of that, the price of oil going to $144, and we think this economy is able to withstand that? This is a resilient economy, the American people are resilient people, but they expect and demand appropriate action by this Congress.

Now, we have people who view themselves as a set of human brake pads. Their only role in life is to come to the floor of the Senate and say: Oh, no, no, no. You can't do that. We are going to dig in our heels and prevent anyone from doing anything. That is not public policy we should be proud of. We are trying very hard to construct some public policy in all these areas that give us a chance to move forward. I know there are reasons for some to object to certain activities. But we have seen, in the last 5 or 6 months, a steady stream of people coming to this floor and saying: My goal is to stop anything from happening. Meanwhile, all these issues pile up in a way I think is a danger to this country's future and a danger to our economy. It is starting with this issue of energy, as I began the discussion today.

We have a responsibility in the short term, and I know the majority leader and others believe it as well.

We have a responsibility to at least tackle excess speculation and the relentless dangerous speculation of this commodity futures market that is driving up the price of oil and injuring this country's economy.

I have introduced legislation to do that. I hope to talk about it tomorrow. Some others have also introduced legislation. We ought to take the best of the legislation that exists and move forward to address this country's problems.

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

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

The legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT REQUEST—S. 2731

Mr. REID. Mr. President, we have worked very hard tonight trying to come up with an agreement to move forward. We have been close, but close doesn't count on Senate business. We have a most important bill we are working on, which is the global AIDS bill. It is a bill that the President supports. We have been in touch with his people during the week. There are no requests of Democrats to offer amendments. We have been working with the distinguished Republican assistant leader, Senator KYL. There has been a proposed 13 amendments, as I recall. We have agreed to seven of those amendments. The others, at this stage, we have been unable to work on. We have tried to work on ways of not having Senators come tomorrow and vote and wind up at the same place on Monday. But there has been a Senator—or two—on the Republican side who, I assume, wants to show that he has a lot of power as a Senator. Any one Senator has a lot of power. So at this stage, it appears that one Senator is going to require all Senators to come to vote tomorrow at 5:21 in the afternoon. That is when time runs out on the housing legislation. And following that, which will complete the housing legislation, we will send it back to the House. Following that, we will automatically have a vote on PEPFAR, the global AIDS bill.

What we wanted to do is avoid those votes and come in Monday, and we would wind up at the same place. But we were not able to get agreement. So we will do directly what we could have done indirectly, but we would have wound up the same way.

First, I appreciate everyone's patience. The Presiding Officer has spent a lot of time here. Senator DODD, who is chairman of the committee, has been here because it is a housing piece of legislation. We have had a number of conversations with Senator SHELBY. The staff has been tremendous. We have had staff working on trying to resolve these amendments. I really appreciate Senator DURBIN, my friend and assistant leader, who has been here throughout the night.

I ask unanimous consent that the cloture vote on the motion to proceed to S. 2731, the global AIDS bill, occur on Monday, July 14, at 5:30, p.m., with the hour prior to the cloture vote equally divided and controlled between the leaders or their designees; that if cloture is invoked, all postcloture time be yielded back, the motion to proceed be agreed to, the motion to reconsider be laid on the table, and the Senate proceed to consideration of the bill.

The PRESIDING OFFICER. Is there objection?

The Senator from Arizona.

Mr. KYL. Mr. President, I do object on behalf of Senator DEMINT. Let me make a very brief statement.

The distinguished majority leader is correct. It is almost 11:30 this evening, and we have been working since about 3 o'clock this afternoon to try to reach agreement on how to proceed with this very important bill. We have made a lot of progress. A lot of Members have been willing to make concessions to try to limit the number of amendments that would be considered so this bill could be completed sometime next week. But we haven't worked out everything. Unfortunately, because everything hasn't been worked out at this late hour tonight, it wasn't possible for us, one of our Members, to agree to this particular request. The majority leader is correct about how we will have to proceed as a result.

It is my strong hope that because this is a very important piece of legislation—Members have different views about aspects of it—an agreement could be reached by which an appropriate number of amendments could be considered and debated and voted on next week and the bill finally disposed of at a point next week. There is a fairly constructive way to do this, and then there is a way to do it that isn't as constructive.

So I appreciate the effort the majority leader and others have put into this tonight. It would be my hope that in that same spirit, we can continue to talk about this tomorrow and hopefully reach an agreement we would be able to proceed with in order to complete the bill sometime next week.

Mr. REID. Mr. President, there was an objection, I understand, by my friend.

There has been tremendous work on this bill for months and months. The principal workers on this bill have been the chairman of the committee, Senator BIDEN, and the ranking member, Senator LUGAR. They have worked on this for months. I have, for more than a month, had statements made to me: Give us another day, another day. That has been going on for a long time. We are in a situation here where we ran out of days, and we had to move forward. Senator LUGAR and Senator BIDEN have accepted numerous amendments from Members wanting to make this bill better. I am confident they did make the bill better. But the fact is—I want everyone to understand—the work on this bill did not start tonight. Senators LUGAR and BIDEN thought all the work had been done on it.

So we are where we are. Senators have a right to suggest changes to a bill, even though we have spent a lot of time on it.

I say to my friend, the distinguished Republican whip, we are anxious to finish this bill. I personally think it is good legislation. I think it is something we as a country need to do. But also understand that we have been willing to accept on this piece of legislation any germane amendments that relate to this bill. We have even agreed tonight to work on some things that are not, but we have agreed to do that in an effort to move this forward. I hope over the weekend, perhaps even tomorrow before we leave, maybe something can be done. If not, maybe Monday we can do something. Otherwise, we find ourselves in this position. Monday we are on the bill. We would at that time, of course, have to file cloture on the bill itself.

Now, I think we could constructively use some time. If there are Senators who want to change this legislation and do it in a germane fashion, we should spend that 30 hours—actually the 2 days it would take for cloture to ripen—on trying to improve the bill. We would be happy to do that. We would even be willing to consider, as my friend knows, the junior Senator from Arizona, amendments, as we have talked about tonight, that may not be technically germane. I hope we can do that.

But as we have seen in this Presidential election year, we have two of our Senators running for President, and it makes it extremely difficult to legislate in a way that we perhaps would like to. But that is the process in which we find ourselves. So hopefully something will work out well during the night or, if not, maybe tomorrow or, if not, over the weekend. I hope we could spend our week constructively disposing of this legislation the President wants.

We will finish the legislation very likely, one way or another, next week. I cannot imagine the President's own party would stop this bill from passing. But we have been surprised in the past. So we will do what we can to help the President. This is a bill I believe in. The vast majority of the Democrats—in fact, I do not know of a Democrat who does not like the bill. But we hope there would be some reasonableness on the other side to try to help the President's program also.

Mr. KYL. Mr. President, might I make a point of clarification?

Mr. REID. Sure.

Mr. KYL. I think the majority leader will agree with this. When the majority leader speaks of accepting amendments, it is not a matter of accepting an amendment to the bill.

Mr. REID. No. To debate and vote on them.

Mr. KYL. But rather agreeing to allow an amendment to be offered, debated and voted on.

Mr. REID. That is right. I am sorry I did not make that clear.

Mr. KYL. No, No. I knew the Senator would want to be clear on that. There are some nonrelevant or nongermane amendments that have been proposed. It is certainly understandable that the majority would not want to have those amendments considered as a part of the debate. For those amendments, however, that are relevant to the subject matter at hand, that is what most of the discussion has been about, and we are hoping at the end of the day an arrangement can be agreed to where those amendments could be considered by the Senate, debated, voted upon, maybe rejected, but at least the Members would have had an opportunity to vote on the amendments, and, as I said before, and, as the majority leader said, to conclude the bill then sometime next week.

The PRESIDING OFFICER. The objection is heard.

Mr. REID. So Mr. President, I have asked the first consent, which was that we have no votes until Monday. That was objected to.

ORDER OF PROCEDURE

Mr. REID. So, Mr. President, now I ask unanimous consent that on Friday, after all the postcloture time has expired on the motion to disagree—that time occurring at 5:21 p.m.—the Senate proceed to vote on the motion to disagree to the amendment of the House adding a new title and inserting a new section to the amendment of the Senate to H.R. 3221; that upon disposition of that motion, the Senate then proceed to vote on the motion to invoke cloture on the motion to proceed to S. 2731, the global AIDS bill; that if cloture is invoked, then all postcloture time be deemed expired, and on Monday, July 14, following a period of morning business, the motion to proceed be agreed to, and the motion to reconsider be laid upon the table; that the Senate then proceed to the consideration of S. 2731; that if cloture is not invoked, then a motion to reconsider the vote by which cloture was not invoked be considered to have been entered.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The assistant majority whip.

MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business.

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

RECOGNIZING UNIVISION NOTICIAS 15

Mr. REID. Mr. President, I rise today to recognize the efforts of Noticias 15,

a Nevada news program that has gone to great lengths to realize the benefits of U.S. citizenship for many new Americans.

Noticias 15 has shown the impact news media can have by supporting programs like ''Ya Es Hora . . . Ciudadaní'' or ''Now is the Time . . . Citizenship'', which motivates and assists lawful permanent residents to navigate the often daunting legal hurdles of our immigration system through a comprehensive civic engagement strategy.

Noticias 15, working with its sister programs in the Entravision Communications Corporation, provides a strong example of the support that can help to more fully engage immigrant communities and traditionally underrepresented minority groups in civic participation. As one of the top-rated local early evening newscasts in the Las Vegas market, the news program has disseminated critical information on applying for U.S. citizenship, featuring segments on citizenship eligibility, requirements, and the application process. In addition, it has partnered with local and national agencies to boost voter registration among viewers.

This is particularly relevant in Nevada, where we have experienced rapid population growth in the Hispanic community—now nearly one in every four Nevadans is of Hispanic descent. We must encourage the active participation in civic life of every eligible Nevadan, and I am pleased that Noticias 15 is a partner in this effort.

Like many of my fellow Nevadans, I am aware of the challenges we have faced in increasing civic participation among Hispanics. Our proverbial wheels are spinning as we fight to make the American dream attainable for all families who work hard and play by the rules, level the playing field so that Latinos can become viable candidates for elective office, and remove the unfair barriers that hinder the Latino community from coming out to vote. Noticias 15's actions help to provide the traction that will keep our wheels from continually spinning up dust.

Today, I recognize Noticias 15 for its valuable support of ''Ya Es Hora . . . Ciudadaní.'' The momentum that has been created by this program and others will lead to better opportunities for the Hispanic community and for the larger community in which we all live. I look forward to seeing more contributions from this important organization in the Silver State.

BUDGET SCOREKEEPING REPORTS

Mr. CONRAD. Mr. President, I rise to submit to the Senate the first budget scorekeeping reports for the 2009 budget resolution. The reports, which cover fiscal years 2008 and 2009, were prepared by the Congressional Budget Office pursuant to section 308(b) and in aid of section 311 of the Congressional Budget Act of 1974, as amended.

The reports show the effects of congressional action through July 7, 2008 and include the effects of Public Law 110–252, the Supplemental Appropriations Act, 2008, which the President signed into law on June 30, 2008. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con Res. 70, the 2009 budget resolution.

For 2008, the estimates show that current level spending is below the budget resolution by $5.4 billion for budget authority and $2.6 billion for outlays while current level revenues are above the budget resolution by $4 billion. For 2009, the estimates show that current level spending is below the budget resolution by $983 billion for budget authority and $615.8 billion for outlays while current level revenues are above the budget resolution level by $67.8 billion.

I ask unanimous consent that the letters and accompanying tables from CBO be printed in the RECORD.

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 9, 2008.

Hon. KENT CONRAD,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2008 budget and is current through July 7, 2008. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 70, the Concurrent Resolution on the Budget for Fiscal Year 2009, as approved by the Senate and the House of Representatives.

Pursuant to section 204(a) of S. Con. Res. 21, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the enclosed current level report excludes these amounts (see footnote 2 of Table 2 of the report).

Since my last letter, dated January 24, 2008, the Congress has cleared and the President has signed several acts that affect budget authority, outlays, or revenues. These amounts were included in the budget aggregates of S. Con. Res. 70. Please see footnote 1 of the accompanying report for a list of those acts. In addition, the Congress has cleared and the President has signed the Supplemental Appropriations Act, 2008 (Public Law 110–252). This is CBO's first current level report since the adoption of S. Con. Res. 70.

Sincerely,

ROBERT A. SUNSHINE,
(For Peter R. Orszag, Director).

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2008, AS OF JULY 7, 2008

(In billions of dollars)

	Budget resolution [1]	Current level [2]	Current level over/ under (-) resolution
ON-BUDGET			
Budget Authority	2,454.2	2,448.9	−5.4
Outlays	2,435.9	2,433.2	−2.6
Revenues	1,875.4	8,879.4	4.0
OFF-BUDGET			
Social Security Outlays[3]	463.7	463.7	0.0
Social Security Revenues	666.7	666.7	0.0

[1] S. Con. Res. 70, the Concurrent Resolution on the Budget for Fiscal Year 2009, assumed $108.1 billion in budget authority and $28.9 billion in outlays for overseas deployment and related activities. P.L. 110–252, the Supplemental Appropriations Act, 2008, designated funding for these activities as an emergency requirement, pursuant to section 204(a) of S. Con. Res. 21, the Concurrent Resolution on the Budget for Fiscal Year 2008. Such emergency amounts are exempt from the enforcement of S. Con. Res. 70. Since current level totals exclude the emergency requirements enacted in P.L. 110–252 (see footnote 2 of table 2), budget authority and outlay totals specified in S. Con. Res. 70 have also been reduced for purposes of comparison.

[2] Current level is the estimated effect on revenue and spending of all legislation, excluding amounts designated as emergency requirements (see footnote 2 of table 2), that the Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations, even if the appropriations have not been made.

[3] Excludes administrative expenses ofthe Social Security Administration, which are off-budget, but are appropriated annually.

SOURCE: Congressional Budget Office.

TABLE 2.—SUPPORTING DETAIL FOR THE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2008, AS OF JULY 7, 2008

[In millions of dollars]

	Budget authority	Outlays	Revenues
Previously Enacted: [1]			
Revenues	n.a.	n.a.	1,879,400
Permanents and other spending legislation	1,441,010	1,394,887	n.a.
Appropriation legislation	1,604,649	1,635,118	n.a.
Offsetting receipts	−596,805	−596,805	n.a.
Total, Previously enacted	2,448,854	2,433,200	1,879,400
Enacted this session:			
Supplemental Appropriations Act, 2008 (P.L. 110–252) [2]	0	7	0
Total Current Level [2,3]	2,448,854	2,433,207	1,879,400
Total Budget Resolution [4]	2,562,305	2,464,754	1,875,400
Adjustment to the budget resolution for emergency requirements [5]	−108,056	−28,901	n.a.
Adjusted Budget Resolution	2,454,249	2,435,853	1,875,400
Current Level Over Budget Resolution	n.a.	n.a.	4,000
Current Level Under Budget Resolution	5,395	2,646	n.a.

[1] Includes the following acts that affect budget authority, outlays, or revenues, and were cleared by the Congress during this session, but before the adoption of S. Con. Res. 70, the Concurrent Resolution on the Budget for Fiscal Year 2009: National Defense Authorization Act for Fiscal Year 2008 (P.L. 110–181), Economic Stimulus Act of 2008 (P.L. 110–185), Andean Trade Preference Extension Act of 2008 (P.L. 110–191), Ensuring Continued Access to Student Loans Act of 2008 (P.L. 110–227), Consolidated Natural Resources Act of 2008 (P.L. 110–229), Strategic Petroleum Reserve Fill Suspension and Consumer Protection Act of 2008 (P.L. 110–232), Food, Conservation, and Energy Act of 2008 (PL. 110–234), SAFETEA–LU Technical Corrections Act of 2008 (P.L. 110–244), and Heroes Earnings Assistance and Relief Act of 2008 (P.L. 110–245).

[2] Pursuant to section 204(a) of S. Con. Res. 21, the Concurrent Resolution on the Budget for Fiscal Year 2008, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. The amounts so designated for fiscal year 2008, which are not included in the current level total, are as follows:

	Budget authority	Outlays	Revenues
Supplemental Appropriations Act, 2008 (P.L. 110–252)	115,808	35,350	n.a.

[3] For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the budget resolution does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level excludes these items.
[4] Periodically, the Senate Committee on the Budget revises the totals in S. Con. Res. 70, pursuant to various provisions of the resolution:

	Budget authority	Outlays	Revenues
Original Budget Resolution	2,563,262	2,465,711	1,875,392
Revisions:			
For the Strategic Petroleum Reserve Fill Suspension and Consumer Protection Act of 2008 (SPR Act) (section 323(d))	−950	−950	0
For the Heroes Earnings Assistance and Relief Tax Act of 2008 (Heroes Act) (section 323(d))	0	0	8
For adjustment to debt service for the SPR and Heroes acts (section 323(d))	−7	−7	0
Revised Budget Resolution	2,562,305	2,464,754	1,875,400

[5] S. Con. Res. 70 assumed $108,056 million in budget authority and $28,901 million in outlays for overseas deployment and related activities. P.L. 110–252 designated funding for these activities as an emergency requirement, pursuant to section 204(a) of S. Con. Res. 21. Such emergency amounts are exempt from the enforcement of S. Con. Res. 70. Since current level totals exclude the emergency requirements enacted in P.L. 110–252 (see footnote 2), budget authority and outlay totals specified in S. Con. Res. 70 have been reduced for purposes of comparison.
SOURCE: Congressional Budget Office.
Note: n.a. = not applicable; P.L. = Public Law.

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DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2009 budget and is current through July 7, 2008. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 70, the Concurrent Resolution on the Budget for Fiscal Year 2009, as approved by the Senate and the House of Representatives.

Pursuant to section 204(a) of S. Con. Res. 21, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the enclosed current level report excludes these amounts (see footnote 2 of Table 2 of the report).

This is CBO's first current level report for fiscal year 2009.

Sincerely,

ROBERT A. SUNSHINE
(For Peter R. Orszag).

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2009, AS OF JULY 7, 2008

[In billions of dollars]

	Budget resolution[1]	Current level[2]	Current level over/ under (-) resolution
ON–BUDGET			
Budget Authority	2,455.9	1,472.9	−983.0
Outlays	2,490.9	1,875.1	−615.8
Revenues	2,029.6	2,097.4	67.8
OFF–BUDGET			
Social Security Outlays[3]	493.6	493.6	0.0
Social Security Revenues	695.9	695.9	0.0

[1] S. Con. Res. 70, the Concurrent Resolution on the Budget for Fiscal Year 2009, assumed $70.0 billion in budget authority and $74.8 billion in outlays for overseas deployment and related activities. Additionally, S. Con. Res. 70 assumed $5.8 billion in budget authority and $1.2 billion in outlays for the Corps of Engineers. P.L. 110–252, the Supplemental Appropriations Act, 2008, designated funding for these activities as an emergency requirement, pursuant to section 204(a) of S. Con. Res. 21, the Concurrent Resolution on the Budget for Fiscal Year 2008. Such emergency amounts are exempt from the enforcement of S. Con. Res. 70. Since current level totals exclude the emergency requirements enacted in P.L. 110–252 (see footnote 2 of table 2), budget authority and outlay totals specified in S. Con. Res. 70 have also been reduced for purposes of comparison.
[2] Current level is the estimated effect on revenue and spending of all legislation, excluding amounts designated as emergency requirements (see footnote 2 of table 2), that the Congress has enacted or sent to the President for his approval.
In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations, even if the appropriations have not been made.
[3] Excludes administrative expenses of the Social Security Administration, which are off-budget, but are appropriated annually.
SOURCE: Congressional Budget Office.

TABLE 2.—SUPPORTING DETAIL FOR THE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2009, AS OF JULY 7, 2008

[In millions of dollars]

	Budget authority	Outlays	Revenues
Previously Enacted [1]			
Revenues	n.a.	n.a.	2,097,399
Permanents and other spending legislation	1,440,235	1,392,509	n.a.
Appropriation legislation	0	471,616	n.a.
Offsetting receipts	−587,749	−587,749	n.a.
Total, Previously enacted	852,486	1,276,376	2,097,399
Enacted this session:			
Supplemental Appropriations Act, 2008 (P.L. 110–252) [2]	0	23	27
Entitlements and mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	620,449	598,715	0
Total Current Level [2,3]	1,472,935	1,875,114	2,097,426
Total Budget Resolution[4]	2,531,668	2,566,868	2,029,644
Adjustment to the budget resolution for emergency requirements[5]	−70,000	−74,809	n.a.
Adjustment to the budget resolution for emergency requirements[5]	−5,761	−1,152	n.a.
Adjusted Budget Resolution	2,455,907	2,490,907	2,029,644
Current Level Over Budget Resolution	n.a.	n.a.	67,782
Current Level Under Budget Resolution	982,972	615,793	n.a.

[1] Includes the following acts that affect budget authority, outlays, or revenues, and were cleared by the Congress during this session, but before the adoption of S. Con. Res. 70, the Concurrent Resolution on the Budget for Fiscal Year 2009: National Defense Authorization Act for Fiscal Year 2008 (PL. 110–181), Economic Stimulus Act of 2008 (P.L. 110–185), Andean Trade Preference Extension Act of 2008 (PL. 110–191), Ensuring Continued Access to Student Loans Act of 2008 (P.L. 110–227), Consolidated Natural Resources Act of 2008 (P.L. 110–229), Strategic Petroleum Reserve Fill Suspension and Consumer Protection Act of 2008 (P.L. 110–232), Genetic Information Nondiscrimination Act of 2008 (P.L. 110–233), Food, Conservation, and Energy Act of 2008 (P.L. 110–234), SAFETEA–LU Technical Corrections Act of 2008 (P.L. 110–244), and Heroes Earning Assistance and Relief Act of 2008 (P.L. 110–245).
[2] Pursuant to section 204(a) of S. Con. Res. 21, the Concurrent Resolution on the Budget for Fiscal Year 2008, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. The amounts so designated for fiscal year 2009, which are not included in the current level total, are as follows:

	Budget authority	Outlays	Revenues
Supplemental Appropriations Act, 2008 (P.L. 110–252)	85,155	87,211	n.a.

[3] For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the budget resolution does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level excludes these items.
[4] Periodically, the Senate Committee on the Budget revises the totals in S. Con. Res. 70, pursuant to various provisions of the resolution:

	Budget authority	Outlays	Revenues
Original Budget Resolution	2,530,703	2,565,903	2,029,612
Revisions:			
For the Strategic Petroleum Reserve Fill Suspension and Consumer Protection Act of 2008 (SPR Act) (section 323(d))	950	950	0
For the Heroes Earnings Assistance and Relief Tax Act of 2008 (Heroes Act) (section 323(d))	28	28	32
For adjustment to debt service for the SPR and Heroes acts (section 323(d))	−13	−13	0

	Budget authority	Outlays	Revenues
Revised Budget Resolution	2,531,668	2,566,868	2,029,644

[5] S. Con. Res. 70 assumed $70,000 million in budget authority and $74,809 million in outlays for overseas deployment and related activities. Additionally, S. Con. Res. 70 assumed $5,761 million in budget authority and $1,152 million in outlays for the Corps of Engineers. P.L. 110–252, the Supplemental Appropriations Act, 2008, designated funding for these activities as an emergency requirement, pursuant to section 204(a) of S. Con. Res. 21. Such emergency amounts are exempt from the enforcement of S. Con. Res. 70. Since current level totals exclude the emergency requirements enacted in P.L. 110–252 (see footnote 2), budget authority and outlay totals specified in S. Con. Res. 70 have also been reduced for purposes of comparison.

SOURCE: Congressional Budget Office.

Note: n.a. = not applicable; P.L. = Public Law.

REMEMBERING SENATOR JESSE HELMS

Mr. HAGEL. Mr. President, I rise today to pay tribute to our friend and former colleague, Senator Jesse Helms of North Carolina. When Senator Helms passed away on the Fourth of July, our country lost a patriot and a strong conservative voice.

Senator Helms' life was about public service. During World War II, he served in the U.S. Navy, where he first developed his commitment to a strong U.S. military and America's security at home and abroad. He served in a number of public roles in Washington, DC, and in his home State of North Carolina, and in 1972 was elected to the U.S. Senate—a position he held for five consecutive terms.

Senator Helms was chairman of the Senate Foreign Relations Committee when I came to the Senate in 1996, where I have served for 12 years. As chairman, he consistently maintained a powerful and determined voice in his efforts to strengthen America. I will always be grateful for his many personal courtesies and his constant encouragement and assistance over the 6 years that we worked together.

Senator Helms was outspoken, strong-minded, and unwavering in his beliefs. He was a leader who will be missed. Lilibet and I extend our thoughts and prayers to Jesse's widow and our friend Dot and his wonderful family.

CALIFORNIA WILDFIRES UPDATE

Mrs. FEINSTEIN. Mr. President, I rise today to update the Senate on the deteriorating situation in California.

Simply put, the situation is untenable.

In the past 2 weeks, 1,781 wildfires have burned roughly 688,000 acres—an area roughly the size of Rhode Island. Today, 323 fires continue to burn including the Camp Fire, in Butte County. As a result of that fire, 14,000 residents have had to evacuate their homes and nearly 50 homes have been destroyed in the past 48 hours.

It is likely to get worse—with a heat wave and more lightning strikes forecast—just as State and Federal resources are being depleted.

Governor Schwarzenegger has told the Federal Government that California cannot continue to fight these fires—that with current resources the State cannot protect lives and property.

California needs the following: Personnel: The Governor needs 302 more hand crews to put on the front lines and 773 support personnel. The State has tapped out its resources; it is time for the Federal Government to step up to the plate.

And the Forest Service is also short on staff. Key supervisors and firefighters are missing from our national parks, hampering firefighting and brush clearing efforts. Last month the agency reported 380 vacancies in California—roughly 8.5 percent out of a total force of 4,432. These positions must be filled. Agriculture Under Secretary Mark Rey promised me these vacancies would be filled by July 8. But as of today only 289 positions have been filled. We need to do more.

A Full Emergency Declaration: Governor Schwarzenegger has declared emergencies in 11 counties: Butte, Trinity, Shasta, Santa Barbara, Santa Clara, Monterey, Mendocino, Santa Cruz, Plumas, Kern, and Mariposa. But President Bush has issued only a limited emergency declaration. California is asking the President for a full disaster declaration, which will open the State to broader assistance under the Stafford Act. I fully endorse this request.

Funding: California's fire emergency is burning up Federal firefighting dollars at an alarming rate. The Forest Service has already expended $704 million—more than half the $1.2 billion in available funds—and fire season has just begun. Therefore, I am asking for $910 million in emergency appropriations for the Forest Service and Interior Department.

This emergency funding, to be used throughout the United States as needed this year, includes: $610 million for wildfire suppression; $125 million for fuels reduction on State and private lands; $100 million for rehabilitation; $50 million for fuels reduction on Federal lands; and $25 million for firefighter recruitment and retention in high risk areas.

Air assets: The Governor has told President Bush that we need an additional 41 helicopters in California. I am committed to working with the President to make these aircraft available from other States, the military, or foreign nations. Whatever it takes, we need these resources.

We also need to permanently station military firefighting aircraft in California. It is increasingly clear to me that the key to these wildfires in remote geographic areas is immediate aerial assault on the fires. You cannot get firefighters into these areas fast enough. Earlier this year I asked the President and Defense Secretary Robert Gates to permanently station two C–130 tankers at Point Mugu. This is vital; several C–130s are working these fires today, but they had to travel great distances to get to California. This is unacceptable.

I am writing to the President again to renew this critical request.

Let me share with you a letter written by Henry Renteria, Director of Governor Schwarzenegger's Office of Emergency Services, to R. David Paulison, Administrator of the Federal Emergency Management Agency.

It says in part:

> We are in an unprecedented draw-down in the state's emergency resources. Many fire departments are barely able to maintain sufficient resources for initial attack on new structure fires, while still participating in the statewide mutual aid effort to address these wildfires.

Even with the assistance of more than 24,000 firefighters from 40 States, ''California has outstanding orders for fire resources that it is unable to fill,'' the letter states.

Yesterday there were requests for 230 engines that went unfilled, and at one point last week there were requests for 400 crews of 15–20 firefighters that were not met.

The Governor's letter continues:

> California is in the untenable position of having orders for firefighting resources remaining unfilled for multiple days. The Governor has taken the extraordinary action this week to direct the training of 400 California National Guard soldiers in basic firefighting. These soldiers will be assigned to the firefight as quickly as they can be trained and equipped.

Mr. Renteria—again, the Governor's authorized representative—concludes by warning that ''the cumulative impact of these disasters has exhausted state and local resources to the point in which California cannot avert threat to live and improved property adequately.''

This is without question a clear and present threat to the largest State in the Nation.

California is on the precipice of a major catastrophe. California has spent more than $300 million fighting these fires—that is more than it spent on last year's firestorms. And this is only the second week of July.

Let me remind you of what the fall brings to southern California. It brings strong Santa Ana winds, which fuel massive and deadly firestorms: In 2003 in California, huge wildfires burned roughly 1 million acres; killed 21; and destroyed more than 5,000 homes. And last year in California, wildfires blackened 1,087,110 acres; killed 10; and destroyed 3,079 structures.

We are in a new and dangerous time.

The great bulk of the fires that have burned since last month—more than 1,000—were sparked by more than 8,000 dry lightning strikes.

California is now faced with dry lightning strikes at a level that I cannot remember in my lifetime. And more are forecast this week.

The State is also facing extreme heat. Across the State, nearly in every county, there are excessive heat warnings.

And the State is in the midst of a serious drought—Governor Schwarzenegger has declared a drought emergency.

The State's reservoirs are below normal, and drought has produced record amounts of dry brush. In many areas, there is more dry brush than at any point in the 27-year recorded history of the data.

This dry brush is like an unexploded bomb.

Last month—the halfway point of the year—more than 272,969 acres in California had burned. That's up from 42,214 acres burned at the same point last year. And up from the 5-year average of 30,938 acres burned on State land at that time of year.

The facts are clear and cannot be ignored. California is in great peril. And California's peril is the Nation's peril, for the costs of fighting these fires is fast draining our Federal firefighting resources.

Bottom line: California and the Nation need help now. A potentially recordbreaking fire season is upon us. We need to do more. We need to prepare. And we need to do it now.

IDAHOANS SPEAK OUT ON HIGH ENERGY PRICES

Mr. CRAPO. Mr. 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:

To whom it concerns:

Here's how rising gas and diesel prices are affecting this Idahoan and her family:

We are a one-income (plus overtime) middle-income family living in Boise. The huge increase in fuel prices has caused subsequent increases in the price of consumer goods (due to price increases for fuel to manufacture, transport, and deliver consumer goods). Thus, our entire cost of living has increased at a rate higher than that of my husband's annual raise. Our standard of living is dropping, regardless of his continued raises, and we are having to cut corners from our budget, in every direction.

Due to our sons' disabilities, it has been imprudent for me to work full time. However, in light of the growing costs of living due to fuel costs skyrocketing, I will most likely need to return to work this year, NOT to purchase hobby equipment or upgrade our vehicle, but to continue to make our mortgage payment and to EAT PROPERLY.

To our Congress: PLEASE STOP OUR DEPENDENCE ON FOREIGN FUELS. We're lining the pockets of oil-rich nations while stealing the quality of life from our own citizens.

Nuclear energy is NOT the way to go, in my opinion. The dangerous waste by-products of nuclear-generated power are not worth the savings in costs of energy to our citizens. There are many other methods to generate energy for homes and businesses (and vehicles) that are cleaner, renewable, and completely non-polluting, such as solar energy; wind energy; hydro-electric energy (why not let all the dams in our state run at full capacity rather than leave one or two turbines unused most of the time, and STORE the excess energy we generate to keep our costs down, or sell it to profit our state's economy); and the transformation of our society's garbage into usable, non-polluting hydrogen fuel for vehicles that run on hydrogen.

There are always local (American) solutions to local (American) problems.

TERESA, *Boise*.

I should think it would be obvious to all sentient beings by now that we are on the wrong trajectory. The notion that we can consume more and more each year without some FUNDAMENTAL changes is wrong. I search your words in vain for ideas about something new. No luck. Same old mindset. What about conservation of finite resources? What about alternative energy resource development? The large and very profitable oil companies benefit enormously from tax breaks. Where is the policy incentive for non-polluting alternate forms of energy? Where are the incentives to promote more efficient use of the old sources? Pull your head from the sand. It is high time you realized a new era is upon us.

CRISTINA.

To Whom It May Concern,

Fuel costs are killing the average citizen in Idaho. It is bad enough that the price of getting to work is costing more than many can afford, but the prices in the grocery stores are also rising exponentially as the cost of shipping skyrockets and the cost of running farm equipment to produce the food skyrockets. To make things worse, Congress, once again with good intentions but not a clue of the damage they would do, are adding to the situation with the ridiculous bio-fuels subsidies. Bio-fuels are horribly inefficient, but the cost of corn to feed dairy cattle and fatten beef cattle is becoming unaffordable. To make things worse, these terrible incentives to plow up hay fields and raise corn is leaving livestock owners unable to buy hay. Horses are being turned loose or shot by owners who cannot get or afford hay to feed them. Once again the bloated farm bill is putting billions of dollars into the hands of a few farming corporations while small farmers and livestock owners are left to struggle against high fuel and feed costs created by Congress. PLEASE repeal these stupid restrictions on oil exploration and refining, as well as that awful subsidy on bio-fuels. They are counterproductive and just plain stupid.

PAT, *Priest River*.

Dear Senator Crapo,

High gas and energy prices are affecting everyone negatively but I would rather respond to the second part of your email.

Americans are not ''too dependent on petroleum,'' as you said; we are just too dependent on *foreign* petroleum. We can thank Mr. Clinton and subsequent leaders and legislators for the predicament we find ourselves in today. They have caved in to the ''environmentalists'', a very small percentage of Americans, and not allowed us to provide for our own oil needs. These foolish politicians have put us and our economy in a very precarious position.

We need to pursue nuclear power and domestic drilling and refining of petroleum and take control of providing for our needs instead of relying on foreign volatile suppliers. If Congress would pass just one piece of legislation to allow us to drill and supply our own oil, our foreign suppliers would drop prices immediately in fear that we will completely cut them out of the loop someday. We do not need to continue any ''food for fuel'' programs as you can see what that has done to our economy and the food shortage in other parts of the world.

Finally, please inform others in Congress that our country is a capitalistic society and that oil companies deserve to profit for the risks they take and the product they supply to Americans. If anybody has received a ''windfall'' it is the federal, and to a lesser degree state, government which receives undeserved profits. They receive much more money from the sale of gas in our country than the oil companies and they have not done one thing for the money they get for each gallon sold. The latest figures I have read were that oil companies average 4 percent of profit from each gallon sold while taxes account for 16 percent of each gallon sold.

Please understand that I am angered by this situation but that anger is in no way directed at you. You have done a fine job representing the views of us conservative Republicans in Idaho. Keep up the good work.

Sincerely,

ROBYN.

Dear Senator,

I'm a fan of yours, as is my wife. We both have been registered Democrats all our lives, but in the mid-term election of 2006, we both re-registered as Independents so as to distance ourselves from our party, as they seem to have gone off the deep end. I remember when Democrats were proud Americans. And though there are a few of us left, most of the party of Rosie O'Donnell, Michael Moore, Al Franken, and certain Senators and Congressmen (and women) are little more than Socialists. And that is giving them the benefit of the doubt. My wife and I both voted for Reagan, by the way, and we will vote Republican till we see a difference in the far left that has taken over our party. Who knows? We may be registered Republicans before too long.

Enough about our distaste for the Democrat Party of today, except to say that it seems voting on issues such as this go down party lines, with even a few Republicans taking the wrong side on issues such as energy, illegal immigration, and homeland security which I consider to be one and the same.

We know there are many billions of barrels of crude off our shores, but the Democrats keep us from drilling. There is even more possibly in the Dakotas and Montana, not to mention the shale oil out here in the West and the coal-to-oil or coal-to-gas technology. All we have to do is start drilling and build more refineries and the price of oil from OPEC will drop drastically! I dropped out of college, but I know this, so Washington should too. I do not know what is up with

the Democrats, but they want the United States to fail in every way, it seems!

Now, a little more about my wife and I. We are both disabled after working hard all our lives and had a good income till our disabilities set in. She went down first, and I followed a few years later. God put us together for a reason, I have to believe. It must be so we could lean on each other. But needless to say we live on a small, fixed income and, eight years ago, my wife's mother had to come and live with us because she has Alzheimer's Disease. We got along OK, I guess, till the gas prices shot up.

I remember 1973 and 1981. I know the prices go up and never come back down to the point they were, even long after the ''crisis'' is over. In ten or so years, it is possible we could be self-sufficient as far as petroleum and natural gas go. If we drill everywhere we can, build refineries to process the crude, in 10–12 years, we could have gas prices back to something where we could afford to eat.

Because it is not just the gas prices, it is everything that has to be trucked or shipped by air. Airlines are going belly up, we cannot afford to eat food that is good for us so we have to go to a high starch, low protein diet which will kill us quicker. The long term solution is other means and other types of fuel. But in the short term, the NOW term, we need to drill and I'll even say, having lived in Alaska for a few years, if people knew how vast the 49th state is, they would say ''Go right ahead, drill!'' Because it would not hurt any animals, the pipeline could hook right up to the one that already runs from Prudoe Bay to Valdez. It is simple really, but Congress has always found a way to make it hard. Our whole government seems to be ''out of touch'' with its citizens' needs.

Did you know that ANWR is 700 miles from the nearest tree? There is nothing there! But oil if we drill it. And we wouldn't have to drill there if we drilled off shore, in the Dakotas and Montana, used coal-to-oil technology. The ocean floor pollutes more in seepage than drilling ever could because we have ''green'' technology, and they do not shoot up toward the skies anymore like the old black and white movies always show it.

But these gas prices just kill people like my wife and others in our situation. We get our fair share every month on the third because we both started working when we were teenagers (I was told this helped with the money part), and my wife's mother is 71 and worked her whole life. But we are still a family of three with kids who are grown, and six wonderful grandchildren who we like to make sure their birthdays and Christmases are filled with gifts from us that cost money which we do not have. If I could afford a Prius, I'd buy one! (maybe). But the fact is I have a '96 Plymouth Voyager and that has to last me the rest of my life, hopefully.

So I need lower gas prices and, as I ramble on here (you invited me to—LOL), I know the solution and so do most of the Republicans and even some Democrats, except they won't let us drill. It seems that the parties have to follow like lemmings and they just cannot think for themselves.

Other countries are drilling OUR oil right off our coasts! They are, and I'll tell you how. They drill down and then make a 60–90 degree turn and go under our waters and even under our land and are going to get our oil while leasing waters from Cuba! This, sir, makes me sick!!! If I were in charge, I'd drill right through a polar bear's skull, if I had to, to get at the oil that we have more of than Saudi Arabia! We do! OK. Not really.

But the polar bear was put on the endangered species list, when they have grown six-fold in number (where's the sense in that?). There are five, six times as many polar bears now than there were 255 years ago, and NOW they decide to put them on the endangered species list? And merely to keep us from drilling in Alaska. I'll close by saying this: Please try to persuade all Republicans and any Democrats you know that may come over to the common sense side of it all and allow us to drill! That is the only way we will be energy self-sufficient in the next ten years, unless Al Gore is going to buy me an electric minivan.

And just a quick note: I do not know if I believe global warming exists, but even more, I am pretty sure that, if it does indeed exist, man is not responsible for it. I have personally talked to scientists and saw an interview on the ''Glenn Beck'' program with the founder of ''The Weather Channel'' and he said that global warming or climate change is the biggest hoax ever pulled on the American people and the world! It is merely a cycle the earth goes through and if you look back to about 60–70 years ago, you'd see the same cycles and temperatures and storms, etc.

OK, Senator, I'm done. I hope you find time to personally read this, because you are one of the good ones who seems to be in touch with the people's needs, along with the country's needs. You have always done a good job and, for the most part, I like the way you vote.

Thank you,

RICHARD and KELLEY.

Now you are talking, Senator. . . . If more Senators and Congress Representatives started asking the people to share their thoughts, ideas, and struggles that we are all being put through with this energy crisis, we could believe that government really had our interest at heart, instead of just their own. I have done a lot of research in past months, and find it hard to understand with all the oil we have here in our own country, and we know we have it. Why do we go elsewhere for it and, literally, held ransom while someone else profits?

And on another issue of being held hostage for energy, are all these utility companies. We always hear on the news, how much profit they made, and then how much more it is going to cost us, ''We the People,'' for its use, and then they have the gall to announce their big corporate raises. If we have to suffer the higher costs, then they should also, by waiving their raises until things are under control again. That is my thought on this, as well as many others.

We are a family of four seniors on fixed incomes, all with health issues. My mom is 85, bedridden. And my brother-in-law is a three-time cancer survivor, a shell of a man. He served two terms in Vietnam in the midst of Agent Orange and cannot even get any veteran's compensation. His wife is his caregiver, and she suffers horribly from fibromyalgia. I'm a widow and a caregiver for my mom, who is also now a widow. We have had to come together in order to survive. So we have to watch carefully every penny we spend. We live 15 miles out of town, and have to watch how many trips we take into town so as not to waste gas. We have cut back to using one car, and try to correlate our doctor visits and trips to the pharmacy. And it still costs as much or more than it did using two cars before the price gouging.

I am a lot more in tune to what is going on in this country and how we are being treated by our own government. It is really criminal to say the least. We, who have worked our whole life paying into our system and serving our country in loyalty, and with our lives, we deserve to be treated with far more respect than we get. Senator, we know that this system is working hard to take our sovereignty from us. We are not stupid people; we see and read beyond what the system wants us to know. Please be one of those who are on the side of people, for our freedom of Constitutional rights.

Long live the United States of America, where our flag flies with pride, and blood has been shed in her honor.

Respectfully,

ANDREA.

Senator Crapo,

I manage an insurance agency with twenty independent salespeople at Farm Bureau Insurance. I could give you quite a few stories, but the one I am most familiar with is my son that works for us. He is 35 years old and has triplets that are two-and-one-half years old. He also has an eleven-year-old and a nine-year-old, so he has a full house. His wife is obviously now a stay-at-home mom, but the energy crunch along with grocery inflation is absolutely devastating. He coaches his Little League baseball traveling team and so between his sales career, baseball, and running kids all over, his gas bill alone is between $600 and $700 per month. With the triplet children, the vehicle has to be a large, used SUV. Couple that with his pick-up, and the gas mileage is not the greatest! The larger vehicles, however, are a necessity. This is just the icing on the cake when you also consider the larger house that they now live in with increased utility costs plus the inflated cost of groceries, especially milk. It is time that we start drilling and looking for an effective domestic energy policy and quit outsourcing on energy to foreign soil. We sincerely hope that Congress does something and soon, and that they develop a long term comprehensive policy to prevent future similar crises.

RON.

To the powers that be:

I am a handicapped woman existing on my Social Security and let me tell you, it only goes so far. I live outside of town about six miles and granted, that is not a great distance, but it adds up very fast. As you know, Social Security really is not enough to live on, and now I am having to add in outrageously high fuel prices for my furnace and car.

We live in the greatest nation, the richest nation and still we are dependent on foreign fuel to meet our needs. Why is that? We have the capacity to be so much more independent and yet, the consumer, me, pays out and pays out until there is nothing left. Will I be able to save any money to pay for my burial? No, not at the rate things are going. It is a sad commentary on the government when those who have not have to take care of those that have. . . . sad, indeed.

It is time for government to be ''of the people'' once again, and not out for their own individual gain.

CINDY.

ADDITIONAL STATEMENTS

THILMANY PAPERS

• Mr. KOHL. Mr. President, I want to take a quick moment to congratulate Thilmany Papers of Kaukauna, WI, on their 125th year anniversary. From humble beginnings with 18 employees, it has grown to a family of 1,000 employees today. This trusted paper manufacturer, founded on the banks of the Fox River 125 years ago, continues to provide specialty papers with a customer service record unmatched in eastern Wisconsin.

One of the names most closely associated with the progress of Kaukauna is Oscar Thilmany. A German immigrant who arrived in the United States in 1866, he tried his hand at a variety of occupations, going from a journalist for a New York newspaper to a company involved in wood preserving.

In Thilmany Pulp and Paper Company, Mr. Thilmany found his calling. With that calling came one of the most successful paper companies in all of Wisconsin today. I congratulate Thilmany Papers on their 125th anniversary and wish them much success in the years ahead.●

120 YEAR PARTNERSHIP

● Mr. SUNUNU. Mr. President, today I recognize the 120th anniversary of State veterans' homes, SVHs.

Following the Civil War, a large number of newly disabled veterans struggled to earn a living as they adjusted back to civilian life. While the Federal Government operated national homes for qualifying Union volunteer soldiers, the total number of veterans in need of care was overwhelming.

In order to meet this need, a number of States independently opened SVHs to care for those injured in service to their country. The first such home opened in Rocky Hill, CT, in 1864.

In August 1888, aware it had a responsibility to assist those who had so diligently and honorably served their country, Congress pledged Federal funding to assist with the operation of existing and future SVHs. This original $250,000 appropriation provided States with $100 per eligible veteran enrolled in an SVH to assist in providing needed support to those who could no longer care for themselves.

Over time, as the number of veterans requiring care increased, the Federal Government responded by providing the States with added assistance. With the establishment of the Veterans' Administration, VA, in 1930, SVHs were expanded to include three levels of care, and in 1960, Congress established a per diem payment system to replace the annual appropriation and better reflect the funding needs of the Nation's SVHs. Finally, in 1964, Congress initiated the State Home Construction Grant Program, which provided further Federal assistance and created the opportunity for a dramatic increase in the quantity and quality of SVHs.

During this time, the National Association of State Veterans Homes, NASVH, was founded to promote legislation at the national level and increase communication among the Nation's SVHs. In partnership with the VA, the NASVH continues to advocate in support of the country's needy veterans and has been instrumental in increasing per diem and other funding rates.

Today, 120 years since the original appropriation, this State and Federal partnership has flourished. Currently, SVHs serve as one of the country's largest long-term care providers—offering approximately 30,000 total beds at more than 130 SVHs nationwide. In a typical year, State veterans homes will furnish nearly 7 million days of nursing home care and about 1.5 million days of domiciliary care.

In New Hampshire, veterans receive the highest quality of care under the watchful eye of Commandant Barry Conway and his extremely capable staff in Tilton. It is because of these dedicated men and women in New Hampshire and around the country that our elder veteran community receives the care they have earned and deserve.●

RECOGNIZING AMBER MULDER

● Mr. THUNE. Mr. President, today I recognize Amber Mulder, an intern in my Sioux Falls, SD, office, for all of the hard work she has done for me, my staff, and the State of South Dakota over the past several months.

Amber is a graduate of Western Christian High School in Hull, IA. Currently she is attending Hamline University School of Law. Amber is a hard worker who has been dedicated to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to Amber for all of the fine work she has done and wish her continued success in the years to come.●

RECOGNIZING BETSY POPPENS

● Mr. THUNE. Mr. President, today I recognize Betsy Poppens, an intern in my Sioux Falls, SD, office, for all of the hard work she has done for me, my staff, and the State of South Dakota over the past several months.

Betsy is a graduate of Marion High School in Marion, SD. Currently she is attending Northwestern College, where she is majoring in public relations. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to Betsy for all of the fine work she has done and wish her continued success in the years to come.●

125TH ANNIVERSARY OF ALPENA, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Alpena, SD. The town of Alpena commemorated its 125th anniversary of its founding with celebrations June 20–22, 2008.

Located in Jerauld County, Alpena was founded in 1883 and was named after the hometown of founder and railroad superintendent C.H. Prior. Since its beginning 125 years ago, the community of Alpena has continued to serve as a strong example of South Dakota values and traditions.

I would like to offer my congratulations to the citizens of Alpena on this milestone anniversary and wish them continued prosperity in the years to come.●

125TH ANNIVERSARY OF ARTESIAN, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Artesian, SD. The town of Artesian commemorated its 125th anniversary of its founding with celebrations July 4–6, 2008.

Located in Sanborn County, Artesian was founded in 1883 and was named after the abundance of flowing wells in the area, known as artesian wells.

Since its beginning 125 years ago, the community of Artesian has continued to serve as a strong example of South Dakota values and traditions.

I would like to offer my congratulations to the citizens of Artesian on this milestone anniversary and wish them continued prosperity in the years to come.●

125TH ANNIVERSARY OF BRUCE, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Bruce, SD. The town of Bruce will commemorate its 125th anniversary of its founding with celebrations July 24–27, 2008.

Located in Brookings County, Bruce was founded in 1883 and was named after statesman B.K. Bruce, who was the first African American to serve a full term in the United States Senate. Since its beginning 125 years ago, the community of Bruce has continued to serve as a strong example of South Dakota values and traditions.

I would like to offer my congratulations to the citizens of Bruce on this milestone anniversary and wish them continued prosperity in the years to come.●

125TH ANNIVERSARY OF CENTERVILLE, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Centerville, SD. The town of Centerville will commemorate the 125th anniversary of its founding with celebrations July 3–6, 2008.

Located in Turner County, Centerville was founded in 1883. It earned its name because of its location halfway between Yankton and Sioux Falls, and midway between Parker and Vermillion.

Since its beginning 125 years ago, the community of Centerville has continued to serve as a strong example of South Dakota values and traditions.

I would like to offer my congratulations to the citizens of Centerville on this milestone anniversary and wish them continued prosperity in the years to come.●

125TH ANNIVERSARY OF CORONA, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Corona, SD. The town of Corona commemorated its 125th anniversary of its founding with celebrations June 20–22, 2008.

Located in Roberts County, Corona was founded in 1883. Since its beginning 125 years ago, the community of Corona has continued to serve as a strong example of South Dakota values and traditions.

I would like to offer my congratulations to the citizens of Corona on this milestone anniversary and wish them continued prosperity in the years to come.●

125TH ANNIVERSARY OF EPIPHANY, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Epiphany, SD. The town of Epiphany will commemorate its 125th anniversary of its founding with celebrations August 1–3, 2008.

Located in Hanson County, Epiphany was founded in 1883. Since its beginning 125 years ago, the community of Epiphany has continued to serve as a strong example of South Dakota values and traditions.

I would like to offer my congratulations to the citizens of Epiphany on this milestone anniversary and wish them continued prosperity in the years to come.●

125TH ANNIVERSARY OF ETHAN, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Ethan, SD. The town of Ethan commemorated its 125th anniversary of its founding with celebrations June 13–15, 2008.

Located in Davison County, Ethan was founded in 1883 and was named after Revolutionary War patriot Ethan Allen. Since its beginning 125 years ago, the community of Ethan has continued to serve as a strong example of South Dakota values and traditions.

I would like to offer my congratulations to the citizens of Ethan on this milestone anniversary and wish them continued prosperity in the years to come.●

125TH ANNIVERSARY OF GETTYSBURG, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Gettysburg, SD. The town of Gettysburg will commemorate its 125th anniversary of its founding with celebrations June 27–29, 2008.

Located in Potter County, Gettysburg was founded in 1883, and was named after the Civil War battle site, Gettysburg Pennsylvania.

Since its beginning 125 years ago, the community of Gettysburg has continued to serve as a strong example of South Dakota traditions and values.

I would like to offer my congratulations to the citizens of Gettysburg on this milestone anniversary and wish them continued prosperity in the years to come.●

125TH ANNIVERSARY OF HOT SPRINGS, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Hot Springs, SD. The town of Hot Springs commemorated its 125th anniversary of its founding with celebrations June 27–29, 2008.

Located in Fall River County, Hot Springs was founded in 1883. Originally called ''Minnekahta'' which means ''warm waters'', the town's name was changed to Hot Springs in 1886.

Since its beginning 125 years ago, the community of Hot Springs has continued to serve as a strong example of South Dakota values and traditions.

I would like to offer my congratulations to the citizens of Hot Springs on this milestone anniversary and wish them continued prosperity in the years to come.●

125TH ANNIVERSARY OF HURLEY, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Hurley, SD. The town of Hurley will commemorate its 125th anniversary of its founding with celebrations July 25–27, 2008.

Located in Turner County, Hurley was founded in 1883 and still contains the Arthur Nelson Museum as the town's historical focal point. Since its beginning 125 years ago, the community of Hurley has continued to serve as a strong example of South Dakota values and traditions.

I would like to offer my congratulations to the citizens of Hurley on this milestone anniversary and wish them continued prosperity in the years to come.●

125TH ANNIVERSARY OF IPSWICH, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Ipswich, SD. The town of Ipswich commemorated its 125th anniversary of its founding with celebrations June 13–15, 2008.

Located in Edmunds County, Ipswich was founded in 1883 and was named after a city of the same name in Britain. Since its beginning 125 years ago, the community of Ipswich has continued to serve as a strong example of South Dakota values and traditions.

I would like to offer my congratulations to the citizens of Ipswich on this milestone anniversary and wish them continued prosperity in the years to come.●

125TH ANNIVERSARY OF NEW UNDERWOOD, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize New Underwood, SD. The town of New Underwood will commemorate its 125th anniversary of its founding with celebrations August 30–September 1, 2008.

Located in Pennington County, New Underwood was founded in 1883. Since its beginning 125 years ago, the community of New Underwood has continued to serve as a strong example of South Dakota values and traditions.

I would like to offer my congratulations to the citizens of New Underwood on this milestone anniversary and wish them continued prosperity in the years to come.●

125TH ANNIVERSARY OF MINA, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Mina, SD. The town of Mina commemorated its 125th anniversary of its founding with celebrations on July 3, 2008.

Located in Edmunds County, Mina was founded in 1883. Since its beginning 125 years ago, the community of Mina has continued to serve as a strong example of South Dakota values and traditions.

I would like to offer my congratulations to the citizens of Mina on this milestone anniversary and wish them continued prosperity in the years to come.●

125TH ANNIVERSARY OF ONIDA, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Onida, SD. The town of Onida will commemorate its 125th anniversary of its founding with celebrations August 7–10, 2008.

Located in Sully County, Onida was founded in 1883 and was named after Oneida, New York, with the intentional misspelling. Since its beginning 125 years ago, the community of Onida has continued to serve as a strong example of South Dakota values and traditions.

I would like to offer my congratulations to the citizens of Onida on this milestone anniversary and wish them continued prosperity in the years to come.●

125TH ANNIVERSARY OF PIERRE, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Pierre, SD. The town of Pierre commemorated its 125th anniversary of its founding with celebrations June 18–22, 2008.

Located in Hughes County, Pierre was founded in 1883 and was named after Fort Pierre and Pierre Choteau Jr. of the American Fur Company. Since its beginning 125 years ago, the community of Pierre has continued to serve as a strong example of South Dakota values and traditions.

I would like to offer my congratulations to the citizens of Pierre on this milestone anniversary and wish them continued prosperity in the years to come.●

125TH ANNIVERSARY OF ROSCOE, SOUTH DAKOTA

• Mr. THUNE. Mr. President, today I recognize Roscoe, SD. The town of Roscoe will commemorate its 125th anniversary of its founding with celebrations July 4–6, 2008.

Located in Edmunds County, Roscoe was founded in 1883 and was named after Roscoe Conkling, who served as Senator of New York from 1867 to 1881. Since its beginning 125 years ago, the community of Roscoe has continued to serve as a strong example of South Dakota values and traditions.

I would like to offer my congratulations to the citizens of Roscoe on this milestone anniversary and wish them continued prosperity in the years to come.•

125TH ANNIVERSARY OF TULARE, SOUTH DAKOTA

• Mr. THUNE. Mr. President, today I recognize Tulare, South Dakota. The town of Tulare commemorated its 125th anniversary of its founding with celebrations June 20–22, 2008.

Located in Spink County, Tulare was founded in 1883. Since its beginning 125 years ago, the community of Tulare has continued to serve as a strong example of South Dakota values and traditions.

I would like to offer my congratulations to the citizens of Tulare on this milestone anniversary and wish them continued prosperity in the years to come.•

125TH ANNIVERSARY OF WILLO LAKE, SOUTH DAKOTA

• Mr. THUNE. Mr. President, today I recognize Willow Lake, SD. The town of Willow Lake commemorated its 125th anniversary of its founding with celebrations July 4–6, 2008.

Located in Clark County, Willow Lake was founded in 1883 and was named after the nearby lake, Willow Lake.

Since its beginning 125 years ago, the community of Willow Lake has continued to serve as a strong example of South Dakota values and traditions.

I would like to offer my congratulations to the citizens of Willow Lake on this milestone anniversary and wish them continued prosperity in the years to come.•

125TH ANNIVERSARY OF WOLSEY, SOUTH DAKOTA

• Mr. THUNE. Mr. President, today I recognize Wolsey, SD. The town of Wolsey commemorated its 125th anniversary of its founding with celebrations June 27–29, 2008.

Located in Beadle County, Wolsey was founded in 1883. Since its beginning 125 years ago, the community of Wolsey has continued to serve as a strong example of South Dakota values and traditions.

I would like to offer my congratulations to the citizens of Wolsey on this milestone anniversary and wish them continued prosperity in the years to come.•

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

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

MESSAGE FROM THE HOUSE RECEIVED DURING RECESS

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 4, 2007, the Secretary of the Senate, on July 9, 2008, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

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

Under authority of the order of the Senate of January 4, 2007, the enrolled bill was subsequently signed by the Vice President during the recess of the Senate, on July 9, 2008.

MESSAGES FROM THE HOUSE

ENROLLED BILLS SIGNED

At 9:30 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 802. An act to amend the Act to Prevent Pollution from Ships to implement MARPOL Annex VI.

H.R. 3721. An act to designate the facility of the United States Postal Service located at 1190 Lorena Road in Lorena, Texas, as the ''Marine Gunnery Sgt. John D. Fry Post Office Building''.

H.R. 3891. An act to amend the National Fish and Wildlife Foundation Establishment Act to increase the number of Directors on the Board of Directors of the National Fish and Wildlife Foundation.

H.R. 4185. An act to designate the facility of the United States Postal Service located at 11151 Valley Boulevard in El Monte, California, as the ''Marisol Heredia Post Office Building''.

H.R. 5168. An act to designate the facility of the United States Postal Service located at 19101 Cortez Boulevard in Brooksville, Florida, as the ''Cody Grater Post Office Building''.

H.R. 5395. An act to designate the facility of the United States Postal Service located at 11001 Dunklin Drive in St. Louis, Missouri, as the ''William 'Bill' Clay Post Office Building''.

H.R. 5479. An act to designate the facility of the United States Postal Service located at 117 North Kidd Street in Ionia, Michigan, as the ''Alonzo Woodruff Post Office Building''.

H.R. 5517. An act to designate the facility of the United States Postal Service located at 7231 FM 1960 in Humble, Texas, as the ''Texas Military Veterans Post Office''.

H.R. 5528. An act to designate the facility of the United States Postal Service located at 120 Commercial Street in Brockton, Massachusetts, as the ''Rocky Marciano Post Office Building''.

The enrolled bills were subsequently signed by the President pro tempore (Mr. BYRD).

ENROLLED BILL SIGNED

At 2:57 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 bill:

H.R. 6331. An act to amend titles XVIII and XIX of the Social Security Act to extend expiring provisions under the Medicare Program, to improve beneficiary access to preventive and mental health services, to enhance low-income benefit programs, and to maintain access to care in rural areas, including pharmacy access, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. BYRD).

The message also announced that the House has passed the following bill, without amendment:

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

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

H.R. 3329. An act to provide housing assistance for very low-income veterans.

H.R. 4174. An act to establish an interagency committee to develop an ocean acidification research and monitoring plan and to establish an ocean acidification program within the National Oceanic and Atmospheric Administration.

H.R. 4461. An act to promote and enhance the operation of local building code enforcement administration across the country by establishing a competitive Federal matching grant program.

H.R. 5541. An act to provide a supplemental funding source for catastrophic emergency wildland fire suppression activities on Department of the Interior and National Forest System lands, to require the Secretary of the Interior and the Secretary of Agriculture to develop a cohesive wildland fire management strategy, and for other purposes.

H.R. 5811. An act to amend title 44, United States Code, to require preservation of certain electronic records by Federal agencies, to require a certification and reports relating to Presidential records, and for other purposes.

H.R. 6061. An act to designate the facility of the United States Postal Service located

at 219 East Main Street in West Frankfort, Illinois, as the ''Kenneth James Gray Post Office Building''.

H.R. 6184. An act 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 each territory of the United States, and for other purposes.

H.R. 6216. An act to improve the Operating Fund for public housing of the Department of Housing and Urban Development, and for other purposes.

H.R. 6382. An act to make technical corrections related to the Pension Protection Act of 2006, and for other purposes.

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

H. Con. Res. 375. Concurrent resolution to honor the goal of the International Year of Astronomy, and for other purposes.

At 6:28 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 2967. An act to provide for certain Federal employee benefits to be continued for certain employees of the Senate Restaurants after operations of the Senate Restaurants are contracted to be performed by a private business concern, and for other purposes.

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

H. R. 1286. An act to amend the National Trails System Act to designate the Washington-Rochambeau Revolutionary Route National Historic Trail.

The message also announced that the House disagrees to the amendment of the Senate to the bill (H. R. 3121) to restore the financial solvency of the national flood insurance program and to provide for such program to make available multiperil coverage for damage resulting from windstorms and floods, and for other purposes, and requests a conference with the Senate on the disagreeing votes of the two Houses thereon, and appoints the following Members as managers of the conference on the part of the House:

From the Committee on Financial Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. FRANK of Massachusetts, KANJORSKI, Ms. WATERS, Messrs. WATT, CLAY, KLEIN of Florida, MAHONEY of Florida, BACHUS, Mrs. BIGGERT, Mrs. CAPITO, Messrs. GARRETT of New Jersey, and PRICE of Georgia.

From the Committee on Energy and Commerce, for consideration of section 302 of the Senate amendment, and modifications committed to conference: Messrs. DINGELL, BOUCHER, and BARTON of Texas.

From the Committee on Transportation and Infrastructure, for consideration of sections 7 and 2 of the House bill, and sections 107, 119, and 301 of the Senate amendment, and modifications committed to conference: Ms. EDDIE BERNICE JOHNSON of Texas, Messrs. BRALEY of Iowa, and GRAVES.

For consideration of sections 7 and 35 of the House bill, and section 128 of the Senate amendment, and modifications committed to conference: Mr. TAYLOR.

MEASURES REFERRED

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

H.R. 1286. An act to amend the National Trails System Act to designate the Washington-Rochambeau Revolutionary Route National Historic Trail; to the Committee on Energy and Natural Resources.

H.R. 3329. An act to provide housing assistance for very low-income veterans; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 4461. An act to promote and enhance the operation of local building code enforcement administration across the country by establishing a competitive Federal matching grant program; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 5541. An act to provide a supplemental funding source for catastrophic emergency wildland fire suppression activities on Department of the Interior and National Forest System lands, to require the Secretary of the Interior and the Secretary of Agriculture to develop a cohesive wildland fire management strategy, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5811. An act to amend title 44, United States Code, to require preservation of certain electronic records by Federal agencies, to require a certification and reports relating to Presidential records, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6061. An act to designate the facility of the United States Postal Service located at 219 East Main Street in West Frankfort, Illinois, as the ''Kenneth James Gray Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6184. An act 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 each territory of the United States, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 6216. An act to improve the Operating Fund for public housing of the Department of Housing and Urban Development, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

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

H. Con. Res. 375. Concurrent resolution to honor the goal of the International Year of Astronomy, and for other purposes; to the Committee on Commerce, Science, and Transportation.

MEASURES PLACED ON THE CALENDAR

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

H.R. 4174. An act to establish an interagency committee to develop an ocean acidification research and monitoring plan and to establish an ocean acidification program within the National Oceanic and Atmospheric Administration.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–7089. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report on the feasibility study that was undertaken to evaluate hurricane and storm damage reduction opportunities for Raritan Bay and Sandy Hook Bay, Union Beach, New Jersey; to the Committee on Environment and Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 2606. A bill to reauthorize the United States Fire Administration, and for other purposes (Rept. No. 110–411).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 2291. A bill to enhance citizen access to Government information and services by establishing plain language as the standard style of Government documents issued to the public, and for other purposes (Rept. No. 110–412).

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

S. 1499. A bill to amend the Clean Air Act to reduce air pollution from marine vessels (Rept. No. 110–413).

By Mrs. BOXER, from the Committee on Environment and Public Works, with amendments:

S. 2844. A bill to amend the Federal Water Pollution Control Act to modify provisions relating to beach monitoring, and for other purposes (Rept. No. 110–414).

By Mr. DORGAN, from the Committee on Indian Affairs, with an amendment in the nature of a substitute:

S. 462. A bill to approve the settlement of the water rights claims of the Shoshone-Paiute Tribes of the Duck Valley Indian Reservation in Nevada, to require the Secretary of the Interior to carry out the settlement, and for other purposes (Rept. No. 110–415).

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. CASEY (for himself, Mr. SANDERS, and Ms. MIKULSKI):

S. 3237. A bill to assist volunteer fire companies in coping with the precipitous rise in fuel prices; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. JOHNSON (for himself, Mr. ENZI, Mr. TESTER, Mr. BARRASSO, Mrs. MCCASKILL, Mr. DOMENICI, Mr. DORGAN, Mr. ALLARD, Mr. SALAZAR, and Mr. NELSON of Nebraska):

S. 3238. A bill to prohibit the importation of ruminants and swine, and fresh and frozen meat and products of ruminants and swine, from Argentina until the Secretary of Agriculture certifies to Congress that every region of Argentina is free of foot and mouth disease without vaccination; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. FEINGOLD (for himself, Mr. DODD, and Mr. MENENDEZ):

S. 3239. A bill to prohibit the Secretary of the Interior from issuing new Federal oil and gas leases to holders of existing leases who do not diligently develop the land subject to the existing leases or relinquish the leases, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SESSIONS (for himself, Mr. ALEXANDER, Mr. ALLARD, Mr. BARRASSO, and Mr. COCHRAN):

S. 3240. A bill to promote energy production and security in the United States, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MARTINEZ (for himself and Mr. NELSON of Florida):

S. 3241. A bill to designate the facility of the United States Postal Service located at 1717 Orange Avenue in Fort Pierce, Florida, as the ''CeeCee Ross Lyles Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. LINCOLN (for herself and Mr. ROBERTS):

S. 3242. A bill to suspend temporarily the duty on digital-to-analog converter boxes, and for other purposes; to the Committee on Finance.

By Mr. VITTER (for himself and Mr. DEMINT):

S. 3243. A bill to amend the Internal Revenue Code of 1986 to allow expenses relating to all home schools to be qualified education expenses for purposes of a Coverdell education savings account; to the Committee on Finance.

By Mr. VITTER:

S. 3244. A bill to amend the Internal Revenue Code of 1986 to expand the Coverdell education savings accounts to allow home school education expenses, and for other purposes; to the Committee on Finance.

By Mr. BIDEN (for himself, Mr. SPECTER, Mr. CARDIN, and Mr. KERRY):

S. 3245. A bill to increase public confidence in the justice system and address any unwarranted racial and ethnic disparities in the criminal process; to the Committee on the Judiciary.

By Mr. CARDIN (for himself, Ms. SNOWE, and Ms. MIKULSKI):

S. 3246. A bill to amend the Internal Revenue Code of 1986 to allow the Secretary of the Treasury to set the standard mileage rate for use of a passenger automobile for purposes of the charitable contributions deduction; to the Committee on Finance.

By Mr. LEVIN (for himself and Ms. STABENOW):

S. 3247. A bill to provide for the designation of the River Raisin National Battlefield Park in the State of Michigan; to the Committee on Energy and Natural Resources.

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

S. 3248. A bill to amend the Commodity Exchange Act to clarify the treatment of purchases of certain commodity futures contracts and financial instruments with respect to limits established by the Commodity Futures Trading Commission relating to excessive speculation, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. WYDEN (for himself and Ms. SNOWE):

S. 3249. A bill to restrict any State or local jurisdiction from imposing a new discriminatory tax on mobile wireless communications services, providers, or property; to the Committee on Finance.

By Mr. CORNYN:

S. 3250. A bill to disqualify any individual who engages in or is convicted of human smuggling from operating a commercial motor vehicle or holding a commercial driver's license and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. THUNE (for himself and Mr. GRASSLEY):

S. 3251. A bill to amend the Federal Crop Insurance Act and the Trade Act of 1974 to authorize advance payments under the supplemental revenue assistance program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DODD (for himself, Mr. LEVIN, Mr. MENENDEZ, Mr. REED, Mr. TESTER, Mrs. MCCASKILL, Mr. AKAKA, Mr. CASEY, Mr. OBAMA, Mr. KERRY, Mrs. CLINTON, Mr. SANDERS, and Mr. WHITEHOUSE):

S. 3252. A bill to amend the Consumer Credit Protection Act, to ban abusive credit practices, enhance consumer disclosures, protect underage consumers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. BOXER:

S. 3253. A bill to provide for the administration of Port Chicago Naval Magazine National Memorial as a unit of the National Park System, and for other purposes; to the Committee on Armed Services.

ADDITIONAL COSPONSORS

S. 609

At the request of Mr. ROCKEFELLER, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 609, a bill to amend section 254 of the Communications Act of 1934 to provide that funds received as universal service contributions and the universal service support programs established pursuant to that section are not subject to certain provisions of title 31, United States Code, commonly known as the Antideficiency Act.

S. 1689

At the request of Mr. BINGAMAN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1689, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on account of claims based on certain unlawful discrimination and to allow income averaging for backpay and frontpay awards received on account of such claims, and for other purposes.

S. 2204

At the request of Mr. WHITEHOUSE, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2204, a bill to assist wildlife populations and wildlife habitats in adapting to and surviving the effects of global warming, and for other purposes.

S. 2630

At the request of Mr. KENNEDY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2630, a bill to amend the Public Health Service Act to establish a Federal grant program to provide increased health care coverage to and access for uninsured and underinsured workers and families in the commercial fishing industry, and for other purposes.

S. 2667

At the request of Mr. MENENDEZ, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 2667, a bill to direct the Attorney General to make an annual grant to the A Child Is Missing Alert and Recovery Center to assist law enforcement agencies in the rapid recovery of missing children, and for other purposes.

S. 2681

At the request of Mr. INHOFE, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Missouri (Mr. BOND) were added as cosponsors of S. 2681, a bill to require the issuance of medals to recognize the dedication and valor of Native American code talkers.

S. 2731

At the request of Mrs. DOLE, her name was added as a cosponsor of S. 2731, a bill to authorize appropriations for fiscal years 2009 through 2013 to provide assistance to foreign countries to combat HIV/AIDS, tuberculosis, and malaria, and for other purposes.

S. 2838

At the request of Mr. MARTINEZ, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2838, a bill to amend chapter 1 of title 9 of United States Code with respect to arbitration.

S. 2851

At the request of Mr. BUNNING, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 2851, a bill to amend the Internal Revenue Code of 1986 to modify the penalty on the understatement of taxpayer's liability by tax return preparers.

S. 3089

At the request of Mr. WYDEN, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 3089, a bill to designate certain land in the State of Oregon as wilderness, to provide for the exchange of certain Federal land and non-Federal land, and for other purposes.

S. 3116

At the request of Mr. VITTER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 3116, a bill to amend title XVIII of the Social Security Act to stabilize and modernize the provision of partial hospitalization services under the Medicare program, and for other purposes.

S. 3118

At the request of Mr. GRASSLEY, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 3118, a bill to amend titles XVIII and XIX of the Social Security Act to preserve beneficiary access to care by preventing a reduction in the Medicare physician fee schedule, to improve the quality of care by advancing value based purchasing, electronic health records, and electronic prescribing, and to maintain and improve access to care in rural areas, and for other purposes.

S. 3140

At the request of Mr. WEBB, the name of the Senator from Montana (Mr. TESTER) 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. 3185

At the request of Ms. CANTWELL, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 3185, a bill to provide for regulation of certain transactions involving energy commodities, to strengthen the enforcement authorities of the Federal Energy Regulatory Commission under the Natural Gas Act and the Federal Power Act, and for other purposes.

S. 3186

At the request of Mr. SANDERS, the names of the Senator from Louisiana (Ms. LANDRIEU), the Senator from Washington (Ms. CANTWELL), the Senator from New York (Mr. SCHUMER), the Senator from Illinois (Mr. OBAMA), the Senator from Illinois (Mr. DURBIN), the Senator from Washington (Mrs. MURRAY), the Senator from Alaska (Ms. MURKOWSKI), the Senator from New York (Mrs. CLINTON), the Senator from New Hampshire (Mr. GREGG), the Senator from Indiana (Mr. LUGAR), the Senator from North Carolina (Mrs. DOLE), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Pennsylvania (Mr. CASEY), the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 3186, a bill to provide funding for the Low-Income Home Energy Assistance Program.

S. 3214

At the request of Mr. BARRASSO, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 3214, 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 each territory of the United States, and for other purposes.

S.J. RES. 43

At the request of Mr. WICKER, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S.J. Res. 43, a joint resolution proposing an amendment to the Constitution of the United States relating to marriage.

S. RES. 580

At the request of Mr. BAYH, the names of the Senator from Delaware (Mr. CARPER) and the Senator from Tennessee (Mr. ALEXANDER) were added as cosponsors of S. Res. 580, a resolution expressing the sense of the Senate on preventing Iran from acquiring a nuclear weapons capability.

S. RES. 602

At the request of Mr. NELSON of Nebraska, the name of the Senator from New Hampshire (Mr. SUNUNU) was added as a cosponsor of S. Res. 602, a bill supporting the goals and ideals of ''National Life Insurance Awareness Month''.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CASEY (for himself, Mr. SANDERS, and Ms. MIKULSKI):

S. 3237. A bill to assist volunteer fire companies in coping with the precipitous rise in fuel prices; to the Committee on Banking, Housing, and Urban Affairs.

Mr. CASEY. Mr. President, I rise today to introduce legislation, along with my colleagues Senator SANDERS and Senator MIKULSKI, that will provide immediate assistance to our Nation's volunteer firefighters who have been severely affected by the rising cost of gasoline and diesel fuel. This bill, the Supporting America's Volunteer Emergency Services Act, or SAVES Act, will establish a new grant program at the Department of Housing and Urban Development to help qualifying volunteer fire companies cope with the strain that today's gas and diesel prices have put on their already tight operating budgets. According to the United States Fire Administration, over 22,141 fire companies, 89 percent of all fire companies in the United States, are volunteer or majority volunteer companies. 39 percent of our country's population, some 117 million people, relies on these volunteer forces to protect their homes and businesses. In recent months, I have heard from fire chiefs across Pennsylvania about the effect that high gas and diesel prices are having on their daily operations. Some have expressed serious concerns that fuel costs are preventing them from responding to emergency calls with the amount of equipment recommended by their National Fire Protection Association guidelines. This poses a serious risk to public safety. Congress has an obligation to address this issue, for we simply cannot afford to let high gas prices stand in the way of firefighters' ability to provide local families and businesses with the help they need.

I was lucky to have 6 fire chiefs from York County, Pennsylvania, on hand today to help me bring attention to this issue. These gentlemen, Deputy Chief Barry Emig of the York Area United Fire and Rescue, Deputy Chief Joe Madzelan of the Manchester Township Fire Services, Chief William Carlisle of the Fairview Township Fire Department, Assistant Chief Trever Rentzel of the Manchester Union Fire Company, chief Tony Myers of the Shrewsbury Fire Department, and Chief John Senft of York City Fire and Rescue, have helped me and others understand the impact that high fuel prices have made on each of their departments' bottom line. I want to thank them for going above and beyond the call of duty to help me in this effort.

The program created under the SAVES Act would set a baseline gas and diesel price using 2007 price data. Each year, volunteer companies that wished to participate would submit their annual fuel receipts. They would then be eligible to receive 75 percent of the difference between how much they paid for gas and diesel that year, and how much that same amount of fuel would have cost at 2007 prices. This straightforward, commonsense approach will help to ensure that volunteer fire companies do not have to restrain their response to emergency calls.

I would like to thank my colleagues Senator SANDERS and Senator MIKULSKI for agreeing to serve as original cosponsors of this important legislation. In addition, I appreciate the leadership of Congressman JASON ALTMIRE in offering companion legislation in the House of Representatives. I hope that my colleagues in the Senate will join me in helping to pass the SAVES Act immediately so that our volunteer fire companies can receive some much-needed relief on their next trip to the pump.

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. 3237

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 ''Supporting America's Volunteer Emergency Services Act of 2008''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) According to the Federal Emergency Management Administration, in 2006 there were—

(A) 807,150 volunteer firefighters, nearly 73 percent of all active firefighters; and

(B) 19,915 all-volunteer fire companies nationwide, servicing 22.6 percent of the population of the United States and 4,105 companies comprised of a majority of volunteers, servicing 16.3 percent of the population of the United States.

(2) These volunteer companies, especially those serving communities of fewer than 5,000 residents, rely heavily upon fund-raising efforts and other potentially unreliable sources of funding for their basic operating expenses.

(3) According to the Energy Information Administration, between June 2003 and June 2008, the price of regular grade gasoline and diesel fuels rose 171 percent and 229 percent, respectively.

(4) These rising costs represent an unavoidable burden, and have placed serious constraints on the ability of volunteer companies to respond to fire emergencies.

SEC. 3. DEFINITION OF QUALIFIED VOLUNTEER FIRE DEPARTMENT.

In this Act, the term ''qualified volunteer fire department'' has the same meaning given that term in section 150(e) of the Internal Revenue Code of 1986.

SEC. 4. GASOLINE AND DIESEL FUEL SUBSIDY PROGRAM.

(a) ESTABLISHMENT OF BASELINE.—

(1) IN GENERAL.—The Secretary of Housing and Urban Development shall, for calendar year 2007, determine for each of the 5 Petroleum Administration for Defense Districts the average annual price per gallon for—

(A) gasoline; and

(B) diesel fuel.

(2) BASIS FOR PRICE PER GALLON.—The average annual price per gallon determined under paragraph (1) shall be based solely on data reported by the Energy Information Administration.

(3) BASELINE.—The price per gallon determined under paragraph (1) shall serve as the baseline fuel cost for each Petroleum Administration for Defense District.

(b) PAYMENTS.—

(1) SUBMISSION OF RECEIPTS.—At the end of each calendar year, each qualified volunteer fire department seeking reimbursement under this section shall submit to the Secretary of Housing and Urban Development all of its receipts and bills of sales documenting the amounts of gasoline and diesel fuel purchased by such department during that calendar year. Each department shall also provide a sum total of the—

(A) aggregate number of gallons of gasoline and diesel fuel purchased by the department during that calendar year; and

(B) costs of purchasing such gasoline and diesel fuel.

(2) DETERMINATION OF SUBSIDY AMOUNTS.—The Secretary of Housing and Urban Development shall reimburse a qualified volunteer fire department for 75 percent of the difference between—

(A) the actual expenditures of the department for gasoline and diesel fuel for a calendar year as determined under paragraph (1); and

(B) the amount that such expenditures would have cost had the department determined such expenditures utilizing the baseline fuels costs determined under subsection (a).

(3) SPECIAL RULE RELATING TO STATES SALES TAX.—If the State in which a qualified volunteer fire department is located does not charge local or State fuel taxes on such departments when such departments purchase gasoline or diesel fuel, the amount of such omitted sales tax shall be added back in to any determination made under paragraph (2)(A).

(c) REGULATIONS.—Not later than 60 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall promulgate such regulations as may be necessary to implement and administer the grant and subsidy programs authorized by this section.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

By Mr. JOHNSON (for himself, Mr. ENZI, Mr. TESTER, Mr. BARRASSO, Mrs. MCCASKILL, Mr. DOMENICI, Mr. DORGAN, Mr. ALLARD, Mr. SALAZAR, and Mr. NELSON of Nebraska):

S. 3238. A bill to prohibit the importation of ruminants and swine, and fresh and frozen meat and products of ruminants and swine, from Argentina until the Secretary of Agriculture certifies to Congress that every region of Argentina is free of foot and mouth disease without vaccination; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. JOHNSON. Mr. President, I come before the Senate today to discuss a critically important issue to the livestock industry in South Dakota and across the United States, that being the United States Department of Agriculture's, USDA, proposal to regionalize Argentina for Foot-and-Mouth Disease, or FMD. FMD is a highly contagious and airborne disease affecting ruminants and swine. The disease is so destructive that FMD is considered to be the most economically devastating of all livestock diseases, according to the American Veterinary Medical Association. An outbreak in Great Britain in 2001, for example, cost the economy nearly $20 billion and led to the slaughter of over 6 million animals. It is with concern for the health and viability of our domestic cattle, sheep, and swine farmers and ranchers that Senator ENZI joins me today in introducing legislation to stop this fundamentally flawed proposal.

This legislation enjoys significant organizational support from our livestock sector, including the American Sheep Industry Association, the South Dakota Cattlemen's Association, R–CALF, the South Dakota Stockgrowers Association, the U.S. Cattlemen's Association, the National Farmers Union, the Western Organization of Resource Councils, and Dakota Rural Action. As a highly credible scientific and veterinary entity, a poll was take within the National Assembly of State Animal Health Officials, NASAHO, and an overwhelming majority of respondents are opposed to regionalization of Argentina for FMB. Our South Dakota State Veterinarian and the President of NASAHO, Dr, Sam Holland, has been invaluable during this process and I thank him for his guidance and extensive expertise on this issue. The majority of veterinarians within NASAHO oppose regionalizing for FMD for a variety of reasons, and Dr. Holland relayed the following causes of concern from State veterinarians for USDA's proposed rule: Economic benefits do not justify the tremendous risk. Inability to effectively monitor risk. Resources, biosecurity, and experience in monitoring freedom are inadequate. Regionalization for one of the world's most highly contagious virus disease, FMD, is much more complicated than regionalization for tuberculosis, brucellosis and many other diseases. FMD virus is not only arguably the most contagious virus known for animals, but also is particularly resilient in the environment and may persist in fomites and be transmitted by such through aerosol or contact. Argentina has not experienced an extended timeframe of several years of FMD freedom.

This bill would prohibit the importation of ruminants and swine and fresh or frozen ruminant and pork products from any region of Argentina until the United States Department of Agriculture can certify to Congress that Argentina is free of Foot and Mouth Disease without vaccination. While regionalization may be a viable option for other livestock diseases, the extremely contagious nature and significant economic impact of FMD dictates that we must treat countries as a whole, and that a country must demonstrate its ability to remain free of FMD. While the USDA is moving to set a precedent with this rule regarding its protocol for FMD, this bill is a common sense response that USDA's proposal is simply not good policy for American ranchers and farmers and for our domestic livestock herds.

Mr. ENZI. To my friend from South Dakota, I ask whether this legislation would interfere with the current status of trade with product from countries with a presence of FMD?

Mr. JOHNSON. My friend from Wyoming raises an excellent question and I'm pleased to answer it. It is not our intention or the effect of this bill to disrupt the status quo, and our legislation would leave the current state of trade intact. Our Code of Federal Regulations allows for the importation of certain dried, cured or cooked product from countries with a known presence of FMD. This bill will only prohibit product that poses a risk for disease transmission, including fresh, chilled or frozen, product or live animals.

Mr. ENZI. Another point of clarification would be why it is necessary to specify that no product or live animals should be imported until Argentina is free of FMD without vaccination. Can the Senator from South Dakota also discuss the intention of that prerequisite?

Mr. JOHNSON. The Johnson-Enzi bill mandates that Argentina's FMD-free status must be achieved without vaccination. This is the acceptable standard for trade and also ensures that the disease is truly eradicated from the herd, and not suppressed or hidden. While this one region in Argentina is thought to be FMD free, this one region within Argentina and Argentina as a whole is surrounded by the presence of FMD, while the United States has been free of FMD since 1929 and is free of FMD without vaccination. Additionally, the United States shares borders with our FMD-free neighbors, who are certified as free without vaccination.

As discussed by NASAHO, Argentina has, quite simply, failed to remain free of FMD for any length of time, which is a basic component to proving the continuity and adequacy of Argentina's infrastructure. As recently as 2001, Argentina experienced an FMD outbreak that it failed to report for months. This raises serious questions about Argentina's approach to communication about this disease in the future, and I don't feel that these questions have been adequately answered at this time.

I thank Senator ENZI and the organizations who have dedicated their time and support for this measure, and I will continue to work with my colleague from Wyoming in the best interest of our American farmers and ranchers.

Mr. ENZI. I am pleased to support this bill with my colleague from South Dakota. My friend has done an excellent job of explaining how this legislation is an important safeguard for our livestock producers, and I would like to add a few comments about the continued need for vigilance when it comes to animal health threats. A wide range of veterinary professionals and livestock producers recognize the threat that Foot-and-Mouth Disease poses to the U.S. livestock industry. If the United States is to continue producing and selling the highest quality meat products in the world, our country must be free of the most dangerous ailments that affect the livestock which enter the market.

The economic threat Foot-and-Mouth Disease poses to our country cannot be underestimated. Disease outbreaks threaten the livelihood of our nation's ranchers and undermine foreign markets for our meat products. One can only look to the economic damage Foot-and-Mouth Disease caused to Britain in 2001 to gauge how significant this threat is to the United States. The highly contagious nature of this disease and the growing international trade of livestock equate the regionalization of Foot-and-Mouth Disease in Argentina to mixing fire with gasoline. I am glad that my colleague mentioned how Foot-and-Mouth Disease is unique and that regionalization would not work with this disease as it has with other animal ailments.

Our cattle, sheep, and swine already face a number of animal health challenges and now is not the time to open up our country to new diseases. Requiring Argentina to be FMD free without using vaccination is not asking too much. This is the same condition the United States and our neighbors already operate under in the trade of livestock. This bill, respected by a large number of state veterinary officials, recognizes this threat and ensures that the proper safeguards remain in place to prevent Foot-and-Mouth Disease from reaching our shores.

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

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

S. 3238

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 ''Foot and Mouth Disease Prevention Act of 2008''.

SEC. 2. PROHIBITION ON IMPORTATION OF ARGENTINE RUMINANTS AND SWINE UNTIL ARGENTINA IS FREE OF FOOT AND MOUTH DISEASE WITHOUT VACCINATION.

The Secretary of Agriculture shall prohibit the importation into the United States of any ruminant or swine, or any fresh (including chilled or frozen) meat or product of any ruminant or swine, that is born, raised, or slaughtered in Argentina until the Secretary certifies to Congress that every region of Argentina is free of foot and mouth disease without vaccination.

JULY 7, 2008.

Hon. TIM JOHNSON,
Senate Committee on Banking, Housing and Urban Affairs, Washington, DC.

Hon. MIKE ENZI,
Senate Committee on Banking, Housing and Urban Affairs, Washington, DC.

DEAR SENATORS JOHNSON AND ENZI: The American Sheep Industry Association, (ASI) on behalf of the 70,000 farm and ranch families producing lamb and wool in the United States, strongly supports your legislation regarding sheep and meat imports from Argentina.

This legislation is absolutely critical to the future of a healthy sheep industry in America.

In fact, the proposal to regionalize trade in live sheep and sheep meat drove industry concerns and questions about the trade and disease risks to point that this is a top issue of the state and national associations of the sheep industry.

We commit our support for approval of this legislation and commend your leadership in addressing appropriate livestock and meat trade standards on behalf of the nation's livestock industry.

Sincerely,

BURDELL JOHNSON,
ASI President.

UNITED STATES CATTLEMEN'S ASSOCIATION
P.O. BOX 339—SAN LUCAS, CA 93954

USCA (July 10, 2008)—The U.S. Cattlemen's Association (USCA) today hailed the introduction of legislation in the U.S. Senate that would block meat shipments from Argentina until that country is free of Foot and Mouth Disease (FMD), an airborne livestock disease that is devastating to livestock production.

Senator Tim Johnson (D-SD) and Senator Mike Enzi (R–WY) introduced the Foot and Mouth Disease Prevention Act of 2008, which would add common sense to a proposal by the U.S. Department of Agriculture (USDA) that would allow importation of Argentine fresh and prepackaged beef, lamb and other meat from select regions of Argentina, as well as live animals.

''Cattlemen from across the country appreciate Senator Johnson and Senator Enzi along with the other co-sponsors of this important legislation,'' said Jon Wooster, a California rancher and USCA president. ''We're calling it the 'Keep America FMD-Free bill'.''

Wooster explained that an outbreak of FMD within the U.S. cattle industry would bring livestock commerce to a standstill overnight and would likely result in the depopulation of millions of cattle, hogs, lambs, goats and wildlife.

The American Veterinary Medical Association has deemed FMD the most economically devastating of all livestock disease. A recent study by Kansas State University found that an outbreak of FMD would cost the State of Kansas alone nearly $1 billion.

''Despite the risks, the Department of Agriculture continues to consider the implementation of a regionalized beef trade plan with Argentina,'' noted Wooster. ''FMD is an airborne disease that will not stop at an imaginary border controlled by a foreign nation. Argentina has proven time and time again that it does not have America's best interests at heart. This is a country that has attacked U.S. agriculture in the World Trade Organization (WTO) and has intentionally turned its back on, and still refuses to pay, billions in U.S. loans despite U.S. court judgments mandating it do so.'' .

Senators Tim Johnson (D–SD) and Mike Enzi (R–WY) along with Senators Jon Tester (D–MT), John Barrasso (R–WY), Claire McCaskill (D–MO), Pete Domenici (R–NM), Byron Dorgan (D–ND), Ken Salazar (D–CO), and Wayne Allard (R–CO) are co-sponsors of the Foot and Mouth Disease Prevention Act of 2008. USCA has worked diligently to maintain import standards that will keep the U.S. cattle industry on the offensive rather than the defensive when it comes to controlling the introduction of foreign animal disease into the U.S.

''We will continue to work on moving this bill forward by adding co-sponsors and garnering support both on Capitol Hill and in the country. USCA is firmly resolved to ensuring the U.S. cattle industry is protected by the highest import standards possible, and to seeing that the 'Keep America FMD-Free' bill becomes law,'' said Wooster.

NATIONAL FARMERS UNION,
Washington, DC, July 10, 2008.

Hon. TIM JOHNSON,
U.S. Senate,
Washington, DC.

DEAR SENATOR JOHNSON: On behalf of the family farmers, ranchers and rural residents of National Farmers Union (NFU), I write in strong support of your legislation to prohibit the importation of Argentine ruminants, swine, fresh and frozen meat, and products from ruminants and swine until the U.S. Department of Agriculture (USDA) Secretary certifies the country Foot and Mouth Disease (FMD) free. I applaud your leadership to ensure all measures are employed to protect the American livestock industry and consumer confidence in our meat supply.

The ban proposed in your legislation is necessary in order to prevent jeopardizing our own efforts to eradicate livestock diseases, and thereby protecting the food supply. Your legislation enhances food safety through requiring every region of Argentina to be FMD-free without vaccination before exporting ruminants, swine and meat products to the United States.

FMD is a highly infectious virus that, if introduced into the United States, could contaminate entire herds and leave producers in financial ruin, as infected herds must be culled to prevent the spread of the disease. FMD is so devastating the American Veterinary Medical Association considers it to be the most economically destructive of all livestock diseases. The United States suffered nine outbreaks of FMD in the early twentieth century, but has been FMD-free since 1929. According to USDA's Animal and Plant Health Inspection Service, the economic impacts of a re-occurrence of FMD in the United States could cost the economy billions of dollars in the first year alone.

America's family farmers and ranchers produce the safest, most abundant food supply in the world. FMD presents a very real threat to American agriculture and its introduction into the United States can and must be prevented. Requiring a country like Argentina, with such an apparent problem with this devastating disease, to prove FMD-free status is an acceptable standard to trade. Opening our borders to Argentine ruminant products is a risk that American producers simply cannot afford. Your legislation is needed to ensure harmful products are not allowed into the United States and that Argentina is not an exception to the rule.

I thank you for introducing this important legislation, and look forward to working with you to ensure its passage.

Sincerely,

TOM BUIS,
President, National Farmers Union.

R-CALF UNITED STOCKGROWERS OF AMERICA,
Billings, MT, July 3, 2008.

Hon. TIM JOHNSON,
U.S. Senate,
Washington, DC.

DEAR SENATOR JOHNSON, On behalf of the thousands of cattle-producing members of R-CALF USA located throughout the United States, we greatly appreciate and strongly support your legislation to prohibit the importation of certain animals and animal products from Argentina until every region of Argentina is free of foot and mouth disease without vaccination.

Foot and mouth disease (FMD) is recognized internationally as one of the most contagious diseases of cloven-hoofed animals and it bears the potential to cause severe economic losses to U.S. cattle producers. Your legislation recognizes that the most effective prevention measure against this highly contagious disease is to ensure that it is not imported into the United States from countries where FMD is known to exist or was recently detected.

R-CALF USA stands ready to assist you in building both industry and congressional support for this important, disease-prevention measure. Thank you for initiating this needed legislation to protect the U.S. cattle industry from the unnecessary and potentially dangerous exposure to FMD from Argentinean imports.

Sincerely,

R.M. THORNSBERRY,
President, R-CALF USA Board of Directors.

SOUTH DAKOTA CATTLEMEN'S ASSOCIATION,
Pierre, SD, July 10, 2008.

Senator TIM JOHNSON,
Hart Senate Office Building,
Washington, DC
Senator MIKE ENZI,
Russell Senate Office Building,
Washington, DC.

DEAR SENATORS JOHNSON AND ENZI: I am writing on behalf of the 1,000 beef producer members of the South Dakota Cattlemen's Association (SDCA) to express support for the Foot and Mouth Disease Prevention Act of 2008. SDCA supports free and fair trade based on OIE standards that will protect the health of our cattle herd and the economic livelihood of our cattlemen.

Our top trade priority is to regain market access for U.S. beef in order to recapture the lost value of exports that occurred after the occurrence of BSE in 2003. To that end, we've worked closely with elected and regulatory officials to ensure adequate measures are taken to protect our herd health and maintain consumer confidence in U.S. beef.

In light of numerous unanswered questions regarding the status of Foot and Mouth Disease in Argentina, we believe passage of the Foot and Mouth Disease Prevention Act is critical to ensure this devastating disease doesn't enter the U.S. cattle herd through the importation of Argentine cattle and beef products. We commend your willingness to stand up for South Dakota's beef producers and look forward to working with you on this important issue.

Regards,

JODIE HICKMAN,
Executive Director.

SOUTH DAKOTA FARMERS UNION,
Huron, South Dakota, July 9, 2008.

Hon. TIM JOHNSON,
U.S. Senate,
Washington, DC.

DEAR SENATOR JOHNSON: On behalf of the family farmers and ranchers of the South Dakota Farmers Union (SDFU), I write to express support of your legislation *The Foot and Mouth Disease Prevention Act of 2008* to require the U.S. Department of Agriculture (USDA) to prevent the importation of livestock from Argentina until the USDA can certify that Argentina is free of Foot and Mouth Disease (FMD) without vaccination.

As you know, the possibility of the importing live animals and fresh meat with FMD would put our herds at risk and cause an economic hardship for our producers. The devastation that FMD can cause was seen first hand in England in 2001. SDFU fears that a similar situation would have severe economic consequences not only for producers in our state but nationwide. Your legislation is a proactive measure that will insure that this does not occur. As a result, until USDA certifies that Argentina is free of FMD, the importation of live stock and meat product should not be allowed. We owe it to both producers and consumers to protect their livestock herd and provide a safe food product.

SDFU fully supports your legislation to require USDA to certify Argentina free of FMD. I look forward to working with you and your colleagues for a quick passage of this important legislation to help protect American livestock producers and consumers.

Sincerely,

DOUG SOMBKE,
President.

By Mr. FEINGOLD (for himself, Mr. DODD, and Mr. MENENDEZ):

S. 3239. A bill to prohibit the Secretary of the Interior from issuing new Federal oil and gas leases to holders of existing leases who do not diligently develop the land subject to the existing leases or relinquish the leases, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. FEINGOLD. Mr. President, I would like to talk about the strong concerns I am hearing back home about gas and diesel prices and about a bill I am introducing today in response to those concerns.

We all know that over the past 12 months, the price of a gallon of gas has risen over a dollar, from around $3 last year to over $4 today. Diesel has increased from $2.91 a year ago to $4.72 per gallon today.

At the listening sessions I hold in every county of my State each year, Wisconsinites are, of course, talking about how those soaring oil prices are hurting their pocketbooks. And it is not just at the pump. They are feeling the pain also at the grocery store, on the farm, and at the ticket counter. Those high fuel prices are having a rippling effect throughout our entire economy. Wisconsinites, like Americans all around the country, are feeling squeezed. With no relief in sight, the anxiety and tension keep building. Americans are emotionally, physically, and financially drained. My colleague from Minnesota, Senator KLOBUCHAR, had it right when she stated that Americans are running on empty.

Here is what I am hearing from Wisconsinites. One constituent told me:

I have done everything I can to use as little gas as possible, even before prices got so high. My two-parent family (with two children) has only one car. I ride my bicycle or walk to work and use the car as little as possible. However, the rising cost of fuel is causing higher prices for food and other necessities which are becoming more difficult for my family and others.

From another parent:

I have an adorable child I am trying to raise on a budget that no longer reaches from paycheck to paycheck. I currently work an hour away from where I live as the jobs are not available in [my] area. Between the rising price of gas, electric/heat and food, my husband and I can barely pay our mortgage.

I have heard from many others who are struggling as they care for elderly parents. One lady has a mother in a nursing home, and she used to visit her three times a week. However, with the nursing home 20 miles away and high fuel prices, now she can only afford to visit her mother once a week. That, to me, is a very poignant example—one of so many examples—of the real human impact these gas prices have.

Even those who have managed their money well and have saved are struggling. One constituent commented that he had planned to put extra money toward retirement and pay down debt. With the high fuel prices, he does not have any extra money and is worried that he will end up on government assistance at the age of 57.

There are more letters and more e-mails and more phone calls. The high cost of driving affects all kinds of people and livelihoods. It affects kids whose parents cannot drive them across town to a friend's house or to soccer practice because they have to conserve gas to get to work. It affects young students and senior citizens who are on fixed incomes. Small businesses are finding they need to increase prices to cover increased transportation costs. Farmers are, of course, feeling the pinch in one way or another, whether it be fertilizer or fuel or transportation or feed for livestock and dairy farmers.

All over the country, people have resorted to alternative forms of transportation in an effort to escape these costs. There is a range of positive proposals to improve systems in Wisconsin from the Kenosha-Racine-Milwaukee commuter rail, extending Amtrak to Madison, or just adding buses or routes. While I strongly support long-term plans to invest in mass transit, I also recognize that at least for the time being in many parts of Wisconsin and in this country, it is unrealistic for many to rely on mass transportation. Commuting to work, be it across a large city or between two towns, is a gas- and dollar-guzzling task that many people cannot avoid or, increasingly, afford.

For the large number of Americans living in predominantly rural areas, this is especially challenging due to the typically longer trips and fewer transportation options. So Wisconsinites want to know: When is the Federal Government going to provide some relief?

With my support, Congress has made some progress. Last December we enacted energy legislation, H.R. 6, that

raises corporate average fuel economy standards for vehicles while protecting American jobs. It also increases the requirement for alternative fuels from 8.5 billion gallons in 2008 to 36 billion gallons in 2022. I also recently cosponsored an amendment to make the Federal Government stop filling the Strategic Petroleum Reserve, which is 97 percent full. Fortunately, Congress passed this legislation, and the administration finally agreed to stop taking oil off the market to store it underground. The bill, H.R. 6022, was signed into law in May.

We also made some progress in preventing market manipulation. I cosponsored the Oil and Gas Traders Oversight Act, S. 577, which would help ensure that the previously unregulated trading commodities are subject to greater Federal oversight by requiring the reporting of trades, and then a similar provision was included in the final version of the farm bill which was recently enacted.

These are positive steps, but much more needs to be done. So today I am introducing legislation that seeks to answer a question more and more Americans are asking, which is: Why aren't the oil companies developing 66 million acres of land that they are already leasing from the U.S. Government? Those same companies, and some of my colleagues, say we need to open more Federal lands to drilling. Well, I guess I would like to know then why the oil companies are not producing on most of the Federal lands they already have under lease.

At a recent Senate Judiciary Committee hearing, I actually had the chance to ask the top five oil executives in the country just that question, and it was incredible. They couldn't come up with any good explanation at all. In fact, one of the executives told me they have the manpower and the infrastructure to put all of their existing leases of Federal lands into oil production.

I find this troubling. No one is talking about pulling oil out of a hat, but with 75 percent of currently leased Federal lands and waters not producing oil and gas, Congress needs to insist on some accountability on this point. This is why today I am introducing the Responsible Federal Oil and Gas Lease Act. This bill says if oil and gas companies want to lease additional lands, they must either be producing or diligently developing their existing Federal leases, or they have to give up those leases. This way, if a company makes the business decision to terminate or not pursue exploration, then the lease will be made available to other companies who might actually drill or figure out a way to get some oil out of this land. This is a responsible way to increase production and keep the private sector accountable for production.

So with over 100 billion barrels of oil under Federal lands and waters that are being leased or are available for leasing, Congress must properly encourage their development, and oil companies should use the land they already have before coming to Congress, hat in hand, asking for more land.

This bill is similar to legislation introduced by Representative RAHALL which the House considered last month. I will work to make sure the Senate follows their lead. I am also cosponsoring a bill introduced by my colleague who is on the Senate floor, my good friend Senator DODD, that encourages oil companies to utilize the land they have been granted by making them pay fees on land under lease but not in production.

There are a number of other steps Congress should take, including addressing the role of excess speculation in the energy futures market and clamping down on OPEC's price fixing. I am a cosponsor of S. 879, which would authorize the Justice Department and the FTC to sue foreign countries under U.S. antitrust law for limiting the supply or fixing the price of oil. Also, of course, we need to aggressively pursue alternative fuels, efficiency, and renewable energy because the facts show that even if we drilled every corner of the country, and offshore too, that wouldn't solve our energy problems.

In the long term, the Government's Energy Information Administration reports that opening more Outer Continental Shelf regions to drilling ''would not have a significant impact on domestic crude and natural oil gas production or prices before 2030,'' nor will it significantly affect prices after 2030, the agency reports, ''because oil prices are determined on the international market.'' In short, the facts are telling us that we simply cannot just drill our way out of this, and more drilling does not necessarily mean lower prices at the pump.

Unfortunately, a minority of Senators have repeatedly blocked efforts to expand renewables and address price gouging and excess energy market speculation. I sincerely hope we can get beyond this partisan bickering. My constituents don't want finger-pointing or name calling; they want some relief, and they deserve it. They also deserve to know that we are pressing forward on plans that embrace a new energy future.

Thirty years ago, our Nation was rattled by our reliance on oil. If I am still here in 30 years, for the sake of my constituents, I hope we will have succeeded at diversifying our energy uses and oil does not still have a stranglehold over our citizens and the economy.

By Mr. BIDEN (for himself, Mr. SPECTER, Mr. CARDIN, and Mr. KERRY):

S. 3245. A bill to increase public confidence in the justice system and address any unwarranted racial and ethnic disparities in the criminal process; to the Committee on the Judiciary.

Mr. BIDEN. Mr. President, the Constitution guarantees all Americans the right to the equal protection of the law. Nowhere is the guarantee of equal protection more important than in our criminal justice system. In a criminal justice system that imprisons a record 2.3 million, even the perception of bias on the basis of race, ethnicity, or any other protected class is unacceptable and should be guarded against at all costs.

Unfortunately, studies, reports, and case law from the last several years have documented racial disparities during many of the stages of the criminal justice system—law enforcement contact with a suspect, arrest, charging, plea bargaining, jury selection, and sentencing. Nowhere are the effects of these racial disparities more evident than in our prisons. By some estimates, nearly three-quarters of prisoners in the United States are either African-American or Hispanic. One of every three African-American men born today can expect to go to prison in his lifetime. These numbers, and studies and reports that show similar disparities during other stages of the criminal justice process, engender a crisis of public trust in the integrity of our criminal justice system and raise the possibility that we are failing to make good on the constitutional promise of equal protection.

Both the reality and the perception of inappropriate disparate treatment of minorities in the justice system erode respect for the law and undermine public safety.

Communities become increasingly reluctant to report crimes to and cooperate with police and prosecutors. They become reluctant to participate in juries and, when they do participate, to vote for conviction where the defendant is a minority. To fulfill the promise of the Constitution, and to effectively fight crime and deliver impartial justice, it is essential to identify and address unjustified disparities in the criminal justice system.

The Justice Integrity Act establishes a pilot program within the Justice Department to identify and eliminate unjustified disparities in the administration of justice. Ten U.S. Attorneys designated by the Attorney General will each appoint and chair an advisory group, composed of Federal and State prosecutors and defenders, private defense counsel, Federal and State judges, correctional officers, victims' rights representatives, Civil Rights organizations, business representatives and faith-based organizations engaged in criminal justice work.

The advisory group will systematically gather and examine data regarding the criminal process in its district and seek to determine the causes of any racial or ethnic disparity. The advisory group will produce a report on its findings and recommend a plan to reduce any unwarranted racial and ethnic disparities and thereby increase public confidence in the criminal justice system. The U.S. Attorney will consider the advisory group's recommendations and adopt a plan and

submit a report to the Attorney General. At the end of the pilot program, the Attorney General will produce a comprehensive report to Congress on the results of the pilot program in all ten districts and recommend best-practices.

The Justice Integrity Act has been endorsed by the National Criminal Justice Association, The Sentencing Project, the American Bar Association, and a number of former United States Attorneys. I am proud to introduce this important bill with the support of my colleagues and friends—Senators ARLEN SPECTER, JOHN KERRY, and BEN CARDIN. We urge other members to join us.

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. 3245

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 ''Justice Integrity Act of 2008''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the pursuit of justice requires the fair application of the law;

(2) racial and ethnic disparities in the criminal process have contributed to a growing perception of bias in the criminal justice system;

(3) there are a variety of possible causes of disparities in criminal justice statistics among racial and ethnic groups and these causes may differ throughout the United States, including factors such as—

(A) varying levels of criminal activity among racial and ethnic groups and legitimate law enforcement response to that criminal activity; and

(B) racial discrimination, ethnic and cultural insensitivity, or unconscious bias;

(4) the Nation would benefit from an understanding of all factors causing a disparate impact on the criminal justice system; and

(5) programs that promote fairness will increase public confidence in the criminal justice system, increase public safety, and further the pursuit of justice.

SEC. 3. PILOT PROGRAM.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Attorney General shall establish a pilot program in 10 United States districts in order to promote fairness, and the perception of fairness, in the Federal criminal justice system, and to determine whether legislation is required.

(b) PROGRAM REQUIREMENTS.—

(1) U.S. ATTORNEYS.—The Attorney General shall designate, in accordance with paragraph (3), 10 United States Attorneys who shall each implement a plan in accordance with section 4, beginning not later than 1 month after those United states Attorneys are designated by the Attorney General.

(2) PURPOSE.—The purposes of the plans required by this section are—

(A) to gather racial and ethnic data on investigations and prosecutions in the United States districts and the causes of disparities, if any;

(B) to determine the extent to which the communities' perception of bias has affected confidence in the Federal criminal justice system;

(C) to analyze whether measures may be taken to reduce unwarranted disparities, if any, and increase confidence in the criminal justice system; and

(D) to make recommendations, to the extent possible, to ensure that law enforcement priorities and initiatives, charging and plea bargaining decisions, sentencing recommendations, and other steps within the criminal process are not influenced by racial and ethnic stereotyping or bias, and do not produce unwarranted disparities from otherwise neutral laws or policies.

(3) CRITERIA FOR SELECTION.—

(A) IN GENERAL.—The 10 pilot districts referred to in subsection (a) shall include districts of varying compositions with respect to size, case load, geography, and racial and ethnic composition.

(B) METROPOLITAN AREAS.—At least 3 of the United States attorneys designated by the Attorney General shall be in Federal districts encompassing metropolitan areas.

SEC. 4. PLAN AND REPORT.

(a) IN GENERAL.—

(1) UNITED STATES ATTORNEY.—Each United States Attorney shall, in consultation with an advisory group appointed in accordance with paragraph (2), develop and implement a plan in accordance with subsections (b) and (c).

(2) ADVISORY GROUP.—

(A) APPOINTMENT.—Not later then 90 days after designation by the Attorney General, the United States Attorney in each of the 10 pilot districts selected pursuant to section 3 shall appoint an advisory group, after consultation with the chief judge of the district and criminal justice professionals within the district.

(B) MEMBERSHIP.—The advisory group of a United States Attorney shall include—

(i) 1 or more senior social scientists with expertise in research methods or statistics; and

(ii) individuals and entities who play important roles in the criminal justice process and have broad-based community representation such as—

(I) Federal and State prosecutors;

(II) Federal and State defenders, if applicable in the district, and private defense counsel;

(III) Federal and State judges;

(IV) Federal and State law enforcement officials and union representatives;

(V) parole and probation officers;

(VI) correctional officers;

(VII) victim's rights representatives;

(VIII) civil rights organizations;

(IX) business and professional representatives; and

(X) faith-based organizations who do criminal justice work.

(C) TERM LIMIT.—Subject to subparagraph (D), a member of the advisory group shall not serve longer than 5 years.

(D) PERMANENT MEMBERS.—Notwithstanding subparagraph (C), the following shall be permanent members of the advisory group for that district:

(i) The chief judge for the judicial district.

(ii) The Federal defender for the judicial district.

(iii) The United States Attorney for the judicial district.

(E) REPORTER.—The United States Attorney may designate a reporter for each advisory group, who may be compensated in accordance with guidelines established by the Executive Office of the United States Attorneys.

(F) INDEPENDENT CONTRACTORS.—The members of an advisory group of a United States Attorney and any person designated as a reporter for such group—

(i) shall be considered independent contractors of the United States Attorney's Office when in the performance of official duties of the advisory group; and

(ii) may not, solely by reason of service on or for the advisory group, be prohibited from practicing law before any court.

(b) DEVELOPMENT AND IMPLEMENTATION OF A PLAN AND REPORT.—

(1) ADVISORY GROUP REPORT.—The advisory group appointed under subsection (a)(2) shall—

(A)(i) systematically collect and analyze quantitative data on the race and ethnicity of the defendant and victim at each stage of prosecution, including case intake, bail requests, declinations, selection of charges, diversion from prosecution or incarceration, plea offers, sentencing recommendations, fast-track sentencing, and use of alternative sanctions; and

(ii) at a minimum, collect aggregate data capable of individualization and tracking through the system so that any cumulative racial or ethnic disadvantage can be analyzed;

(B) seek to determine the causes of racial and ethnic disparities in a district, and whether these disparities are substantially explained by sound law enforcement policies or if they are at least partially attributable to discrimination, insensitivity, or unconscious bias;

(C) examine the extent to which racial and ethnic disparities are attributable to—

(i) law enforcement priorities, prosecutorial priorities, the substantive provisions of legislation enacted by Congress; or

(ii) the penalty schemes enacted by Congress or implemented by the United States Sentencing Commission;

(D) examine data including—

(i) the racial and ethnic demographics of the United States Attorney's district;

(ii) defendants charged in all categories of offense by race and ethnicity, and, where applicable, the race and ethnicity of any identified victim;

(iii) substantial assistance motions, whether at sentencing or post-conviction, by race and ethnicity;

(iv) charging policies, including decisions as to who should be charged in Federal rather than State court when either forum is available, and whether these policies tend to result in racial or ethnic disparities among defendants charged in Federal court, including whether relative disparities exist between State and Federal defendants charged with similar offenses;

(v) the racial and ethnic composition of the Federal prosecutors in the district; and

(vi) the extent to which training in the exercise of discretion, including cultural competency, is provided prosecutors;

(E) consult with an educational or independent research group, if necessary, to conduct work under this subsection; and

(F) submit to the United States Attorney by the end of the second year after their initial appointment a report and proposed plan, which shall be made available to the public and which shall include—

(i) factual findings and conclusions on racial and ethnic disparities, if any, and the State of public confidence in the criminal process;

(ii) recommended measures, rules, and programs for reducing unjustified disparities, if any, and increasing public confidence; and

(iii) an explanation of the manner in which the recommended plan complies with this paragraph.

(2) ADOPTION OF PLAN.—Not later than 60 days after receiving and considering the advisory group's report and proposed plan under paragraph (1), the United States Attorney appointed under section 3 shall adopt and implement a plan.

(3) COPY OF REPORT.—The United States Attorney shall transmit a copy of the plan and report adopted and implemented, in accordance with this subsection, together with the report and plan recommended by the advisory group, to the Attorney General. The United States Attorney shall include with the plan an explanation of any recommendation of the advisory group that is not included in the plan.

(4) CONGRESS.—The Attorney General shall transmit to the United States Attorney's in every Federal district and to the Committees on the Judiciary of the Senate and the House of Representatives copies of any plan and accompanying report submitted by a pilot district.

(c) PERIODIC UNITED STATES ATTORNEY ASSESSMENT.—After adopting and implementing a plan under subsection (b), each United States attorney in a pilot district shall annually evaluate the efficacy of the plan. In performing such assessment, the United States attorney shall consult with the advisory group appointed in accordance with subsection (a)(2). Each assessment shall be submitted to the Executive Office for United States attorneys for review in accordance with subsection (d).

(d) INFORMATION ON THE PILOT PROGRAM.—

(1) REPORT AND MODEL PLAN.—Not later than 5 years after the date of the enactment of this Act, the Attorney General shall—

(A) prepare a comprehensive report on all plans received pursuant to this section;

(B) based on all the plans received pursuant to this section the Attorney General shall also develop one or more model plans; and

(C) transmit copies of the report and model plan or plans to the Committees on the Judiciary of the Senate and the House of Representatives.

(2) CONTINUED OVERSIGHT.—The Attorney General shall, on a continuing basis—

(A) study ways to reduce unwarranted racial and ethnic disparate impact in the Federal criminal system; and

(B) make recommendations to all United States attorneys on ways to improve the system.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated $3,000,000 for use, at the discretion of the Attorney General, by the United States Attorneys' advisory groups in the development and implementation of plans under this Act.

By Mr. CARDIN (for himself, Ms. SNOWE, and Ms. MIKULSKI):

S. 3246. A bill to amend the Internal Revenue Code of 1986 to allow the Secretary of the Treasury to set the standard mileage rate for use of a passenger automobile for purposes of the charitable contributions deduction; to the Committee on Finance.

Mr. CARDIN. Mr. President, I rise today to introduce a bill, the Fair Deal for Volunteers Act. In today's economic climate, Americans need relief from sky-rocketing oil and gas prices. This applies to everyone, including people who engage in much-needed volunteer work. My bill will provide immediate relief for volunteers serving our elderly, poor, frail, and at-risk Americans. It gives the Internal Revenue Service authority to change the mileage rate—currently set by statute at 14 cents per mile—for calculating the deductible cost of operating a vehicle for charitable purposes. We can't let an out-of-date mileage rate exacerbate the pinch at the pump for volunteers who selflessly provide so many vital goods and services in every community across America. I'm pleased that the senior Senator from Maine, Senator SNOWE, and my colleague, the senior Senator from Maryland, Senator MIKULSKI, are original cosponsors of this bill and I thank them for their support.

The Internal Revenue Code does not fix a rate for individuals who are required to use their own vehicle for work, or for individuals taking a mileage deduction for moving purposes. The IRS is able to increase the deduction amount for these purposes to reflect the current economic climate and dramatically higher fuel prices. This is exactly what the IRS recently did.

As of July, the IRS modified the standard mileage rates for computing the deductible costs of operating an automobile for business, medical, or moving expenses. The revised standard mileage rate for business purposes increased from 50.5 cents per mile to 58.5 cents. For medical and moving expenses, the IRS increased the rate from 19 cents per mile to 27 cents per mile. I think the Nation's volunteers who travel on behalf of charitable organizations deserve an increase in their mileage rate, too.

My bill gives the IRS flexibility in setting the rate so that volunteers for charitable organizations could be given the same tax benefit accruing for moving, medical, and business expenses. In today's climate of increasing food and fuel prices, this bill will help relieve some of the pressure on charitable organizations and their volunteers.

Take Meals on Wheels, for example. This organization delivers nutritious meals and other nutrition services to men and women who are elderly, homebound, disabled, frail, or otherwise at-risk. The services Meals on Wheels provides significantly improve the recipients' quality of life and health, and often help to postpone institutionalization.

Over the past year, there has been nearly a 20 percent increase in fuel and food prices, coupled with reduced government funding and fewer donations across the country. Nearly 60 percent of the estimated 5,000 programs that operate under the auspices of the Meals on Wheels Association of America have lost volunteers, in large part because it is too expensive for the volunteers to drive back and forth. Nearly half the programs have eliminated routes or consolidated meal services. About 38 percent of the programs have switched to delivering frozen meals, and about 30 percent are cutting personal visits from 5 days a week to one.

In Maryland, the Central Maryland Meals on Wheels has experienced an increase of 7 percent in food costs and suppliers are charging higher delivery fees. The cost to fill up the vans with gas has increased. Fuel costs averaged $72,538.70 in fiscal year 2007; this year, the costs have jumped to $86,790.63. This is an organization with volunteers serving over 3,100 elderly, disabled, frail and at-risk Marylanders. Its volunteers deserve relief from high gas prices just as much as people who use their car for work or for medical purposes or for moving.

Throughout the United States, Meals on Wheels served over 3 million people and more than 250 million meals in fiscal year 2006. This is just one of thousands of charitable organizations. We need to encourage and support the Meals on Wheels volunteers and all other volunteers who need their cars to help their neighbors and communities. The Fair Deal for Volunteers Act will do just that, and I hope my colleagues will support it.

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. 3246

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 ''Fair Deal for Volunteers Act of 2008''.

SEC. 2. DETERMINATION OF STANDARD MILEAGE RATE FOR CHARITABLE CONTRIBUTIONS DEDUCTION.

(a) IN GENERAL.—Subsection (i) of section 170 of the Internal Revenue Code of 1986 (relating to standard mileage rate for use of passenger automobile) is amended to read as follows:

''(i) STANDARD MILEAGE RATE FOR USE OF PASSENGER AUTOMOBILE.—For purposes of computing the deduction under this section for use of a passenger automobile, the standard mileage rate shall be the rate determined by the Secretary.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to miles traveled after the date of the enactment of this Act.

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

S. 3248. A bill to amend the Commodity Exchange Act to clarify treatment of purchases of certain commodity futures contracts and financial instruments with respect to limits established by the Commodity Futures Trading Commission relating to excessive speculation, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. LIEBERMAN. Mr. President, today I am introducing legislation, the Commodity Speculation Reform Act of 2008, with my colleague Senator COLLINS, the ranking minority member of our Homeland Security and Governmental Affairs Committee. The legislation is designed to wring out of the commodity markets the excessive speculation—and I stress the word ''excessive''—that we believe has helped lead to the sudden and soaring spikes in the prices Americans pay for food and energy.

We are going to do this by returning the commodity markets to what they

were meant to be—a place where producers and consumers of specific commodities can enter into futures contracts that help hedge the risks of price fluctuations common to their industries.

These commodity market traders—farmers, airlines, refineries—actually intend to produce or take delivery of specific commodities as part of doing business.

On the other hand, financial speculators, including pension funds, university endowments, and other large institutional investors, have poured billions and billions of dollars into these markets over the past 5 years betting on rising prices—and let's make it clear, that these are bets—without ever intending to actually own a barrel of oil or a bushel of corn. They are looking for nothing more than paper profits.

In a series of hearings held by our Homeland Security and Governmental Affairs Committee, we heard testimony that this kind of excessive speculation in the commodity markets may have added as much as $40 to $60 to the cost of a barrel of oil.

Some say these figures are too high. But I would say that even a single dollar increase due to excessive speculation is a dollar too much because of the inflationary effect it can have not only on the U.S. economy, but around the world.

Consider this: according to the Air Transport Association, every $1 increase in the price of a barrel of crude oil adds $470 million a year in jet fuel costs—almost half a billion dollars—to the U.S. airline industry. These costs are passed on to consumers in the forms of higher ticket prices and other surcharges that are now keeping potential passengers on the ground and has the industry reeling.

These increases directly hit consumers in the global economy through higher gas and food prices. Moreover, the negative effects of commodity price inflation ripple through the economy as the high cost of energy and raw materials weakens our manufacturing base, and the high cost associated with transporting goods impedes international trade.

The profits made by the speculators do not produce one new barrel of oil, put one new acre of farmland into production, put one new mine into operation, or add one new gallon of refinery capacity.

If speculators really want to invest in commodities, they can buy stock in an energy company or an agricultural firm. They can purchase the royalty rights to land. Any of these options would benefit from market trends related to commodity prices and would also bring needed investment into means of production that would increase supplies and eventually contribute to lower commodity prices.

Unfortunately, the Commodity Futures Trading Commission has ignored the urgent task of providing our front line defense against rampant and unmanaged speculation. To this day, the Commission has yet to recognize that speculation affects commodity prices.

Instead, the Commission has delegated much of its regulatory authority to the for-profit exchanges. Moreover, in contradiction with Congress's original legislative intent, the Commission views its mission as confined to a single purpose—preventing market manipulation. On the contrary, Congress fully intended the Commission to regulate market manipulation AND excessive speculation.

Our bill effectively closes the door to excessive speculation, but in a rational and reasonable way by, in effect, perfecting current law. First, it requires the CFTC to consider the overall effect of speculation when it sets the position limits that restrict the amount that any one investor can invest in a commodity. This is a critical and necessary change—if the Commission does not acknowledge and embrace its obligation to prevent excessive speculation, all of our efforts will be in vain.

Second, it extends the existing rules that apply to the regulated exchanges to currently unregulated over-the-counter and foreign markets. Over the last 10 years, over-the-counter trading in commodities has exploded. The over-the-counter investment vehicles are simply economic substitutes for futures contracts. There is no rational reason that they should not be subject to the same laws and regulations that apply to futures contracts.

This change also eliminates the ''swaps loophole'' that allows pension funds and other large investors to invest in index funds that circumvent the position limits. From 2003 to 2008, investment in commodity index funds has swelled from $13 billion to $260 billion and has, in effect, chased up prices and taken control of the commodity markets away from the industries and producers that must use them as a means of doing business.

Other important provisions would direct that the speculative position limits must be set by the CFTC, not the futures exchanges, and repeal the CFTC's authority to substitute meaningless reporting requirements for actual speculative position limits.

In the course of our Committee hearings and in later deliberations we looked at a number of legislative options, including banning certain large investors, such as pension funds, from the commodity markets altogether.

But we feel the approach we've come up with in this bill is a reasonable, commonsense approach that will help bring order back to the commodity markets while preserving the liquidity it needs to function properly.

Some have suggested that Congressional action will simply push investors to foreign markets. Our bill actually discourages flight from the major exchanges because it puts all trading platforms under the same regulatory umbrella. Speculators are subject to the same position limits regardless of whether they invest in New York, London, Dubai, or over-the-counter.

Is excessive speculation the sole cause of rising prices? Of course not. Global economic growth, particularly in emerging nations like China and India, has put tremendous upward pressure on the prices of energy, food and raw materials.

But there is little doubt—even among most skeptics of our legislation—that excessive speculation has had an effect on rising prices. Our bill will end that and help create a more orderly market for the industries and producers who must deal in commodities as a matter of business.

The father of modern capitalism, Adam Smith, overall wanted to limit the role of government in free markets. In fact, in ''The Wealth of Nations'' Smith said speculators served many useful functions in a free market and many of his observations are still true today.

But Smith knew there had to be limits, writing: ''those exertions of the natural liberty of a few individuals, which may endanger the security of the whole society, are, and ought to be, restrained by the laws of all governments.''

With this bill we seek that kind of restraint so that the few don't gain exorbitant profits at the expense of the average American reeling under spiraling prices for food and fuel.

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

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

S. 3248

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 ''Commodity Speculation Reform Act of 2008''.

SEC. 2. AUTHORITY OF COMMODITY FUTURES TRADING COMMISSION TO ISSUE NO ACTION LETTERS.

Section 2(a)(1) of the Commodity Exchange Act (7 U.S.C. 2(a)(1)) is amended by adding at the end the following:

''(G) AUTHORITY TO ISSUE NO ACTION LETTERS TO FOREIGN BOARDS OF TRADE.—

''(i) IN GENERAL.—Except as provided in clause (ii), the Commission may not issue a no action letter to any foreign board of trade that lists a contract the price of which settles on the price of a contract traded on an exchange regulated by the Commission.

''(ii) EXCEPTION.—The Commission may issue a no action letter to a foreign board of trade described in clause (i) if the foreign board of trade provides to the Commission information and data accessibility the scope of which is comparable to the information and data accessibility provided to the Commission by entities under the jurisdiction of the Commission.''.

SEC. 3. ADDITIONAL EMPLOYEES.

Section 2(a)(7) of the Commodity Exchange Act (7 U.S.C. 2(a)(7)) is amended by adding at the end the following:

''(D) ADDITIONAL EMPLOYEES.——As soon as practicable after the date of enactment of this subparagraph, the Commission shall appoint at least 100 full-time employees (in addition to the employees employed by the

Commission as of the date of enactment of this subparagraph) to assist in carrying out section 4a(a)(2).''.

SEC. 4. TREATMENT OF PURCHASES OF CERTAIN COMMODITY FUTURES CONTRACTS AND FINANCIAL INSTRUMENTS.

(a) IN GENERAL.—Section 4a of the Commodity Exchange Act (7 U.S.C. 6a) is amended—

(1) by striking ''SEC. 4a. (a) Excessive speculation'' and inserting the following:

''SEC. 4a. EXCESSIVE SPECULATION.

''(a) BURDEN ON INTERSTATE COMMERCE; TRADING OR POSITION LIMITS.—

''(1) IN GENERAL.—Excessive speculation and''; and

(2) in subsection (a) (as amended by paragraph (1)), by adding at the end the following:

''(2) TREATMENT OF PURCHASES OF CERTAIN COMMODITY FUTURES CONTRACTS AND FINANCIAL INSTRUMENTS.—

''(A) DEFINITIONS.—In this paragraph:

''(i) BONA FIDE HEDGING TRANSACTION.—

''(I) IN GENERAL.—The term 'bona fide hedging transaction' means a transaction that—

''(aa) represents a substitute for a transaction to be made or a position to be taken at a later time in a physical marketing channel;

''(bb) is economically appropriate for the reduction of risks in the conduct and management of a commercial enterprise; and

''(cc) arises from the potential change in the value of—

''(AA) assets that a person owns, produces, manufactures, possesses, or merchandises (or anticipates owning, producing, manufacturing, possessing, or merchandising);

''(BB) liabilities that a person incurs or anticipates incurring; or

''(CC) services that a person provides or purchases (or anticipates providing or purchasing).

''(II) EXCLUSION.—The term 'bona fide hedging transaction' does not include a transaction entered into on a designated contract market for the purpose of offsetting a financial risk arising from an over-the-counter commodity derivative.

''(ii) OVER-THE-COUNTER COMMODITY DERIVATIVE.—The term 'over-the-counter commodity derivative' means any agreement, contract, or transaction that—

''(I)(aa) is traded or executed in the United States; or

''(bb) is held by a person located in the United States;

''(II) is not traded on a designated contract market or derivatives transaction execution facility; and

''(III)(aa) is a put, call, cap, floor, collar, or similar option of any kind for the purchase or sale of, or substantially based on the value of, 1 or more qualifying commodities or an economic or financial index or measure of economic or financial risk primarily associated with 1 or more qualifying commodities;

''(bb) provides on an executory basis for the applicable transaction, on a fixed or contingent basis, of 1 or more payments substantially based on the value of 1 or more qualifying commodities or an economic or financial index or measure of economic or financial risk primarily associated with 1 or more qualifying commodities, and that transfers between the parties to the transaction, in whole or in part, the economic or financial risk associated with a future change in any such value without also conveying a current or future direct or indirect ownership interest in an asset or liability that incorporates the financial risk that is transferred; or

''(cc) is any combination or permutation of, or option on, any agreement, contract, or transaction described in item (aa) or (bb).

''(iii) OVER-THE-COUNTER COMMODITY DERIVATIVE DEALER.—The term 'over-the-counter commodity derivative dealer' means a person that regularly offers to enter into, assume, offset, assign, or otherwise terminate positions in over-the-counter commodity derivatives with customers in the ordinary course of a trade or business of the person.

''(iv) QUALIFYING COMMODITY.—The term 'qualifying commodity' means—

''(I) an agricultural commodity; and

''(II) an energy commodity.

''(B) REGULATIONS.—

''(i) IN GENERAL.—Not later than 90 days after the date of enactment of this paragraph, in accordance with clauses (ii) and (iii), the Commission shall promulgate regulations to establish and enforce—

''(I) speculative position limits for qualifying commodities;

''(II) a methodology—

''(aa) to enable persons to aggregate the positions held or controlled by the persons on designated contract markets, on derivatives transaction execution facilities, and in over-the-counter commodity derivatives; and

''(bb) to ensure, to the maximum extent practicable, that the determinations made by the Commission with respect to each person examined under subparagraph (C) accurately reflect the net long and net short positions held or controlled by the person in the underlying qualifying commodity; and

''(III) information reporting rules to facilitate the monitoring and enforcement by the Commission of the speculative position limits established under subclause (I), including the monitoring of positions held in over-the-counter commodity derivatives.

''(ii) APPLICABILITY.—

''(I) POSITION LIMITS.—The speculative position limits established under clause (i)(I) shall apply to position limits that, with respect to each applicable position limit, expire during—

''(aa) the spot month;

''(bb) each separate futures trading month (other than the spot month); or

''(cc) the sum of each trading month (including the spot month).

''(II) SUM OF POSITIONS.—The speculative position limits established under clause (i)(I) shall apply to the sum of the positions held by a person—

''(aa) on designated contract markets;

''(bb) on derivatives transaction execution facilities; and

''(cc) in over-the-counter commodity derivatives.

''(iii) MAXIMUM LEVEL OF POSITION LIMITS.—In establishing the speculative position limits under clause (i)(I), the Commission shall set the speculative position limits at the minimum level practicable to ensure sufficient market liquidity for the conduct of bona fide hedging activities.

''(C) PROHIBITION RELATING TO CERTAIN POSITIONS.—

''(i) IN GENERAL.—Notwithstanding any other provision of this Act, no person may hold or control a position, separately or in combination, net long or net short, for the purchase or sale of a commodity for future delivery or, on a futures-equivalent basis, any option, or an over-the-counter commodity derivative that exceeds a speculative position limit established by the Commission under subparagraph (B)(i)(I).

''(ii) BONA FIDE HEDGING TRANSACTIONS.—In determining whether the sum of a position held or controlled by a person has exceeded the applicable speculative position limit established by the Commission under subparagraph (B)(i)(I), the Commission shall not consider positions attributable to a bona fide hedging transaction.

''(iii) DETERMINATION OF POSITION LIMITS FOR OVER-THE-COUNTER COMMODITY DERIVATIVE DEALERS.—To determine the position of an over-the-counter commodity derivative dealer, the sum of the positions held or controlled by the over-the-counter commodity derivative dealer shall be—

''(I) calculated on the last day of each month; and

''(II) considered, for the monthly period covered by the determination, to be the average daily net position held or controlled by the over-the-counter commodity derivative dealer for the period beginning on the first day of the month and ending on the last day of the month.''.

(b) REPORTS.—

(1) NECESSARY ADDITIONAL FUNDING.—Not later than 45 days after the date of enactment of this Act, the Commodity Futures Trading Commission (referred to in this subsection as the ''Commission'') shall submit to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate a report providing the recommendations of the Commission for any additional funding that the Commission considers to be necessary to carry out the amendments made by subsection (a), including funding for additional staffing and technological needs.

(2) SPECULATIVE ACTIVITY TRENDS.—

(A) STUDY.—The Commission shall conduct a study—

(i) to identify trends in speculative activity relating to metals; and

(ii) to determine whether the authority of the Commission under section 4a(a)(2) of the Commodity Exchange Act (7 U.S.C. 6a(a)(2)) (as added by subsection (a)(2)) should be extended to cover the trading of metals.

(B) REPORT.—Not later than 180 days after the date of enactment of this Act, the Commission shall submit a report containing the results of the study conducted under subparagraph (A) to—

(i) the Committee on Agriculture of the House of Representatives;

(ii) the Committee on Agriculture, Nutrition, and Forestry of the Senate; and

(iii) the Committee on Homeland Security and Governmental Affairs of the Senate.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this subsection.

COMMODITY SPECULATION REFORM ACT OF 2008

(Senators Joseph Lieberman and Susan Collins, Summary of Provisions, July 10, 2008)

The legislation closes the ''Swaps Loophole'' and creates a seamless system of speculative position limits that applies to all food and energy-related contracts held by financial speculators, including over-the-counter holdings and futures positions on foreign exchanges.

In theory, position limits should curb excessive speculation in food and energy markets by imposing caps on the amount of futures contracts that may be held by any one investor. However, the position limits no longer serve their original purpose. Large institutional investors, such as pension funds, can circumvent the position limits by investing in over-the-counter markets. Through a regulatory ''swaps'' loophole, financial institutions that serve the over-the-counter markets also circumvent the position limits.

The bill will reduce excessive speculation by closing the swaps loophole and eliminating the exemptions that apply to investors that are not taking physical delivery of food and energy commodities. The bill applies the position limits if the position is not

related to a bona fide hedging activity. The bill incorporates the CFTC's definition of bona fide hedging, but clarifies that it does not include hedging financial risks associated with over-the-counter derivatives, such as swaps and structured notes.

In the evolving commodity marketplace, trading is increasingly occurring in unregulated over-the-counter markets or overseas. By extending the position limits to holdings regardless of where they are held, the position limits will no longer create an incentive to trade off-exchange or overseas. The bill would require the CFTC to develop a methodology that allows investors to aggregate their positions on the exchanges and in over-the-counter markets for purposes of regulatory enforcement of the position limits.

The legislation requires the CFTC to set the individual position limits at amounts necessary to prevent excessive speculation while still ensuring sufficient market liquidity.

The CFTC currently sets the speculative position limits at amounts the Commission believes are necessary to prevent market manipulation by individual market participants. In contradiction with the original intent of the Congress, the CFTC does not set the position limits at amounts necessary to control the harmful inflationary effects of excessive speculation. The bill clarifies that the position limits should be set at amounts no greater than necessary to ensure sufficient market liquidity for the conduct of bona fide hedging activities.

The legislation directs that the speculative position limits must be set by the CFTC, not the futures exchanges.

The bill would repeal the CFTC's authority to delegate the responsibility for setting the position limits to the exchanges. The major exchanges are no longer nonprofit entities, but rather for-profit businesses. The position limits should be set by a regulatory entity that has a single mission—serving the public interest.

The legislation repeals the authority that permits the CFTC to substitute reporting requirements for actual speculative position limits.

Currently, position limits apply to an investor's holdings in the spot month, any single month, and all months combined. With respect to energy futures contracts, the position limits are replaced with a simple reporting requirement, or ''position accountability level'', in the all-months time period. The bill would extend actual speculative position limits to the all-months time period.

The legislation requires foreign futures exchanges to provide the CFTC with daily trading information comparable to the information provided by domestic exchanges.

Increasingly, foreign futures exchanges are offering cash-settled futures contracts that are based on commodity prices set by contracts traded on U.S. exchanges. These ''look-alike'' contracts arguably offer investors a competitive alternative to contracts that are traded and physically settled through U.S. exchanges. The CFTC recently indicated it will require foreign exchanges offering look-alike contracts to provide trading information comparable to the information provided by domestic exchanges. This provision codifies the new CFTC policy. The provision lays the statutory framework necessary for a seamless system of information reporting and improved transparency that will ensure the CFTC has the ability to monitor and enforce the new speculative position limits.

The legislation increases the resources available to the CFTC to carry out is its expanded responsibilities under the Act, including additional funds for staffing and technology.

The legislation constitutes a historic expansion of the CFTC's mission. Significant new resources will be needed to carry out these directives. As soon as practicable after the date of enactment, the legislation requires the CFTC to hire 100 additional full-time employees and authorizes such sums as are necessary to implement its new responsibilities. No later than 45 days after enactment, the CFTC must report to the Congressional appropriations committees with an estimate of the additional funding necessary to fully administer the Act.

The legislation directs the CFTC to review trends in speculative activity related to metals, and report to Congress on whether the Commission's new authority should extend to trading in metals.

Ms. COLLINS. Mr. President, high energy prices are having a devastating impact on our economy and our people—especially in large, rural States like Maine. Truckdrivers, loggers, fishermen, farmers, and countless others are struggling with the high cost of oil and gasoline. In Maine, where 80 percent of homes are heated with oil, many families do not know how they can afford to stay warm next winter.

The high cost of energy is also taking a toll on businesses, both large and small. Katahdin Paper recently announced plans to shut down its plant in Millinocket due to the cost of oil. If this occurs—and everyone is working to prevent it—the community would be devastated by the loss of more than 200 good jobs.

Many factors affect energy prices, including the value of the dollar, global tensions, and demand in other countries, such as China and India. But Senator LIEBERMAN and I have heard persuasive and troubling evidence in hearings of our Committee on Homeland Security and Governmental Affairs that another factor is also at work—excessive speculation in futures markets for energy commodities.

At issue is the activity of noncommercial traders who do not produce or take delivery of oil or agricultural products, unlike commercial traders such as oil producers and heating oil dealers, farmers and cereal companies. Instead, these noncommercial investors use futures contracts and related transactions solely for financial gain.

Speculation in commodity markets by noncommercial investors has grown enormously. In just the last 5 years, the total value of their futures-contract and commodity index-fund investments has soared from $13 billion to $260 billion.

These massive new holdings of oil-futures contracts by pension funds, university endowments, and other institutional investors appear to be driving up prices beyond what they would otherwise be. These investors' intentions may be simply to provide good returns, a hedge against inflation, and diversification, but many experts believe their activities are distorting commodity markets.

I have worked with Senator LIEBERMAN to produce a comprehensive and bipartisan bill, the Commodity Speculation Reform Act of 2008, which we are introducing today.

Our bill takes some very strong steps toward countering excessive speculation.

First, it would remedy staffing shortfalls at the Commodity Futures Trading Commission by adding 100 staff to improve its market oversight and enforcement capabilities. This is a vital step. The CFTC tells us that more than 3 billion futures and options contracts were traded last year, up from 37 million in 1976. Yet the Commission is operating with fewer employees than it had 30 years ago.

Second, our bill closes the so-called ''swaps loophole,'' which currently allows financial institutions to evade position limits on commodity contracts that regulators use to prevent unwarranted price swings or attempts at manipulation.

Third, our bill directs the CFTC to establish position limits that will apply to an investor's total interest in a commodity, regardless of whether they originate on a regulated exchange, the over-the-counter market, or on foreign boards of trade that deal in U.S. commodities.

Fourth, our bill instructs the CFTC to permit no foreign boards of trade to deal in U.S.-linked commodity contracts unless they agree to reporting and data- accessibility standards at least equivalent to that required of U.S.-regulated exchanges. This is not a matter of telling other countries what to do: foreign boards of trade request ''no-action'' letters from the CFTC so they can maintain trading terminals here while remaining regulated by their own authorities. The CFTC has recently taken positive steps to require comparable reporting, and our bill codifies those improvements.

These are powerful measures, but they are also prudently designed. We recognize that producers, handlers, and purchasers of commodities who use those markets to lock in prices, hedge risks, and see clues for price trends require some level of participation by non- commercial, financial investors.

Our bill does not prevent financial investors from participating in commodity markets. It simply places some limits on their presence by directing the CFTC to set position limits across trading venues at a level no higher than that needed to ensure that commercial participants can always find counterparties for their contract needs.

These and other provisions of our bill—which applies to agricultural as well as energy commodities—will provide a stronger regulator, improved flows of information, new and more consistent protections against excessive speculation, and assurance to both businesses and consumers that our markets in basic commodities are transparent, competitive, and effectively policed.

The Commodity Speculation Reform Act of 2008 represents a balanced and bipartisan approach. I urge my colleagues to join Senator LIEBERMAN and me in supporting it.

By Mr. WYDEN (for himself and Ms. SNOWE):

S. 3249. A bill to restrict any State or local jurisdiction from imposing a new discriminatory tax on mobile wireless communications services, providers, or property; to the Committee on Finance.

Mr. WYDEN. Mr. President, 100 years ago the automobile revolutionized the way Americans lived and did business. Government responded by making a massive investment in infrastructure to support this new technology. That investment gave our industries a real competitive advantage in the world marketplace for much of the 20th century by making it cheaper and easier to move goods around the country.

Today, information technology has brought an equal, if not greater, revolution to American business. But this time, rather than investing in infrastructure and fostering growth, we have allowed the country's IT infrastructure to be taxed at dangerous and unhealthy levels that put American business at a competitive disadvantage.

The information revolution has changed the way we learn, the way we work, the way we hold elections, and the way we communicate as a society, among other things that keep our country working. It has made vast educational, health care and entrepreneurial opportunities accessible to our most remote communities. But telecommunication taxes in the U.S. have been levied at a rate much higher than other types of sales and business taxes.

Rather than investing in IT infrastructure, we have left it to the private sector to build and maintain our telecommunications networks. And while this practice has sometimes served Americans well, we are falling behind some major international competitors in far too many areas.

I am not today calling for anything as far-reaching as Federal investment in IT infrastructure—today I am simply asking that we stop yoking our most innovative IT networks with increased taxes.

Wireless broadband holds the promise of connecting even our most distant communities to the rest of the world. In time, these connections will bring health care, educational, communications and commercial services to Americans who have been left out for far too long. This growth will not happen if we keep burdening this important technology with what amounts to discriminatory taxation.

I have fought for many years to expand the development of the Internet and our telecommunications infrastructure. Along with colleagues on both sides of the aisle, I worked to successfully protect our network providers from content-related litigation. Four times now, I have fought to protect the Internet from being hit with multiple discriminatory taxes from thousands of State and local tax authorities—and have worked to extend that protection indefinitely.

Today I am proposing something far more modest—if just as necessary—that we put a moratorium on new or increased taxes on our wireless telecommunications infrastructure and services for the next 5 years.

Along with my colleague Senator SNOWE, I am introducing the Mobile Wireless Tax Fairness Act to keep mobile wireless services and facilities free from new discriminatory taxes.

This bill would not impact a single current tax that has been levied by a State or locality. It will not remove a single dollar from their communal coffers. What it will do is guarantee our wireless network providers protection from even greater taxation at a time when we are asking them to implement the largest technology upgrade in history—an upgrade that will bring economically important, true broadband speeds to wireless customers for the first time.

I will admit that there are lots of problems with the way Federal, State and local taxes are levied on telecommunications services. This legislation addresses only one of those problems, but it is a big one.

Taxes on wireless services are some of the most regressive taxes in the Nation. Cell phones and other wireless devices have become essential to many working Americans, for their jobs, for their safety and for maintaining the communications they need to stay in touch with families when both parents work and raise children. Piling increased taxes on these families at a time when budgets are being stretched by skyrocketing gas and food prices is not only unreasonable, it is downright wrong.

I am proud that my colleague Senator SNOWE joins me in introducing this important legislation. Senator SNOWE has long been an advocate for the improvement and expansion of our IT infrastructure and today we have taken another important step that will help strengthen our country and our economy today and in the future. This proposal joins H.R. 5793 by Congresswoman LOFGREN and Congressman CANNON in the House and I look forward to working with them to see this important legislation passed.

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. 3249

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 ''Mobile Wireless Tax Fairness Act of 2008''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) It is appropriate to exercise congressional enforcement authority under section 5 of the 14th amendment to the Constitution of the United States and Congress' plenary power under article I, section 8, clause 3 of the Constitution of the United States (commonly known as the ''commerce clause'') in order to ensure that States and political subdivisions thereof do not discriminate against providers and consumers of mobile services by imposing new selective and excessive taxes and other burdens on such providers and consumers.

(2) In light of the history and pattern of discriminatory taxation faced by providers and consumers of mobile services, the prohibitions against and remedies to correct discriminatory State and local taxation in section 306 of the Railroad Revitalization and Regulatory Reform Act of 1976 (49 U.S.C. 11501) provide an appropriate analogy for congressional action, and similar Federal legislative measures are warranted that will prohibit imposing new discriminatory taxes on providers and consumers of mobile services and that will assure an effective, uniform remedy.

SEC. 3. MORATORIUM.

(a) IN GENERAL.—No State or local jurisdiction shall impose a new discriminatory tax on or with respect to mobile services, mobile service providers, or mobile service property, during the 5-year period beginning on the date of the enactment of this Act.

(b) DEFINITIONS.—In this Act:

(1) MOBILE SERVICE.—The term ''mobile service'' means commercial mobile radio service, as such term is defined in section 20.3 of title 47, Code of Federal Regulations, as in effect on the date of the enactment of this Act, or any other service that is primarily intended for receipt on, transmission from, or use with a mobile telecommunications device, including the receipt of a digital good.

(2) MOBILE SERVICE PROPERTY.—The term ''mobile service property'' means all property used by a mobile service provider in connection with its business of providing mobile services, whether real, personal, tangible, or intangible and includes goodwill, licenses, customer lists, and other similar intangible property associated with such business.

(3) MOBILE SERVICE PROVIDER.—The term ''mobile service provider'' means any entity that sells or provides mobile services, but only with respect to the portion of such entity's trade or business that sells or provides such services.

(4) NEW DISCRIMINATORY TAX.—The term ''new discriminatory tax'' means any tax imposed by a State or local jurisdiction that—

(A) is imposed on or with respect to, or is measured by the charges, receipts, or revenues from or value of—

(i) any mobile service and is not generally imposed, or is generally imposed at a lower rate, on or with respect to, or measured by the charges, receipts, or revenues from, other services or transactions involving tangible personal property;

(ii) any mobile service provider and is not generally imposed, or is generally imposed at a lower rate, on other persons that are engaged in businesses other than the provision of mobile services; or

(iii) any mobile service property and is not generally imposed, or is generally imposed at a lower rate, on or with respect to, or measured by the value of, other property that is devoted to a commercial or industrial use and subject to a property tax levy, except public utility property owned by a public utility subject to rate of return regulation by a State or Federal regulatory authority; and

(B) was not generally imposed and actually enforced on mobile services, mobile service providers, or mobile service property prior to the date of the enactment of this Act.

(5) STATE OR LOCAL JURISDICTION.—The term ''State or local jurisdiction'' means any

of the several States, the District of Columbia, any territory or possession of the United States, a political subdivision of any State, territory, or possession, or any governmental entity or person acting on behalf of such State, territory, possession, or subdivision and with the authority to assess, impose, levy, or collect taxes or fees.

(6) TAX.—

(A) IN GENERAL.—The term ''tax'' means any charge imposed by any governmental entity for the purpose of generating revenues for governmental purposes, and is not a fee imposed on an individual entity or class of entities for a specific privilege, service, or benefit conferred exclusively on such entity or class of entities.

(B) EXCLUSION.—The term ''tax'' does not include any fee or charge—

(i) used to preserve and advance Federal universal service or similar State programs authorized by section 254 of the Communications Act of 1934 (47 U.S.C. 254); or

(ii) specifically dedicated by a State or local jurisdiction for the support of E–911 communications systems.

(c) RULES OF CONSTRUCTION.—

(1) DETERMINATION.—For purposes of subsection (b)(4), all taxes, tax rates, exemptions, deductions, credits, incentives, exclusions, and other similar factors shall be taken into account in determining whether a tax is a new discriminatory tax.

(2) APPLICATION OF PRINCIPLES.—Except as otherwise provided in this Act, in determining whether a tax on mobile service property is a new discriminatory tax for purposes of subsection (b)(4)(A)(iii), principles similar to those set forth in section 306 of the Railroad Revitalization and Regulatory Reform Act of 1976 (49 U.S.C. 11501) shall apply.

(3) EXCLUSIONS.—Notwithstanding any other provision of this Act—

(A) the term ''generally imposed'' as used in subsection (b)(4) shall not apply to any tax imposed only on—

(i) specific services;

(ii) specific industries or business segments; or

(iii) specific types of property; and

(B) the term ''new discriminatory tax'' shall not include a new tax or the modification of an existing tax that—

(i) replaces one or more taxes that had been imposed on mobile services, mobile service providers, or mobile service property; and

(ii) is designed so that, based on information available at the time of the enactment of such new tax or such modification, the amount of tax revenues generated thereby with respect to such mobile services, mobile service providers, or mobile service property is reasonably expected not to exceed the amount of tax revenues that would have been generated by the respective replaced tax or taxes with respect to such mobile services, mobile service providers, or mobile service property.

SEC. 4. ENFORCEMENT.

(a) IN GENERAL.—Notwithstanding any provision of section 1341 of title 28, United States Code, or the constitution or laws of any State, the district courts of the United States shall have jurisdiction, without regard to amount in controversy or citizenship of the parties, to grant such mandatory or prohibitive injunctive relief, interim equitable relief, and declaratory judgments as may be necessary to prevent, restrain, or terminate any acts in violation of this Act, provided that:

(1) JURISDICTION.—Such jurisdiction shall not be exclusive of the jurisdiction which any Federal or State court may have in the absence of this section.

(2) BURDEN OF PROOF.—The burden of proof in any proceeding brought under this Act shall be upon the party seeking relief and shall be by a preponderance of the evidence on all issues of fact.

(3) RELIEF.—In granting relief against a tax which is discriminatory or excessive under this Act with respect to tax rate or amount only, the court shall prevent, restrain, or terminate the imposition, levy, or collection of not more than the discriminatory or excessive portion of the tax as determined by the court.

Ms. SNOWE. Mr. President, I rise today to join my colleague, Senator WYDEN, in introducing legislation that will stop the increasing financial burden being placed on wireless consumers by discriminatory taxes. On average, the typical consumer pays 15.2 percent of his/her total wireless bill in Federal, State, and local taxes, fees and surcharges—this is compared to the 7.07 percent average tax rate for other goods and services.

The Mobile Wireless Tax Fairness Act of 2008 would ensure that these tax rates don't increase further by prohibiting States and local governments from imposing any new discriminatory tax on mobile services, mobile service providers, or mobile service property for a period of 5 years. The bill defines ''new discriminatory tax'' as a tax imposed on mobile services, providers, or property that is not generally imposed on other types of services or property, or that is generally imposed at a lower rate.

The wireless era has changed the way the world communicates. More and more people are using the cell phone as their primary communication device as well as for data and Internet services. The increased mobility and access wireless communications provide have improved our lives, our safety, and the productivity of our work and businesses. To date, there are more than 260 million wireless subscribers in the U.S., and total usage exceeded 1 trillion minutes in June 2007 alone.

However, as more consumers embrace wireless technologies and applications, more States and local governments are embracing it as a revenue source and applying these excessive and discriminatory taxes, which show up on consumers' bills each month. In fact, the effective rate of taxation on wireless services has increased four times faster than the rate on other taxable goods and services between January 2003 and January 2007.

These excessive and discriminatory taxes discourage wireless' adoption and use, primarily with low-income individuals and families that still view a cellular phone as a luxury when many Americans consider it a necessity. By banning these taxes, we can equalize the taxation of the wireless industry with that of other goods and services and protect the wireless consumer from the weight of fees, surcharges, and general business taxes. We cannot allow this essential and innovative industry as well as the consumers who benefit from its amazing services and applications to suffer excessive tax rates.

Placing a moratorium on new discriminatory wireless taxes will make certain consumers continue to reap the benefits of wireless services. Congress took similar action with the Internet—passing the Internet Tax Freedom Act Amendments Act of 2007 this past fall—because of the incredible impact the Internet will continue to have on consumers and businesses alike. The future of wireless is just as bright and that is why we must ensure its continued growth. That is why I sincerely hope that my colleagues join Senator WYDEN and me in supporting this critical legislation.

By Mr. DODD (for himself, Mr. LEVIN, Mr. MENENDEZ, Mr. REED, Mr. TESTER, Mrs. MCCASKILL, Mr. AKAKA, Mr. CASEY, Mr. OBAMA, Mr. KERRY, Mrs. CLINTON, Mr. SANDERS, and Mr. WHITEHOUSE):

S. 3252. A bill to amend the Consumer Credit Protection Act, to ban abusive credit practices, enhance consumer disclosures, protect underage consumers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DODD. Mr. President, my friend and colleague from Michigan is here, as well, who has been deeply involved in the issue of credit cards and the problems that are occurring.

I rise with my colleague Senator LEVIN to introduce legislation that would reform and prohibit credit card practices that harm rather than help American consumers and their families. The legislation is called the Credit Card Accountability, Responsibility and Disclosure Act, or the Credit CARD Act. It will, in my view, help bring an end to industry practices that candidly cost American families billions of dollars each and every year.

I cannot think of a better time to introduce this much needed legislation. This Chamber will, in very short order this evening, or as late as tomorrow, pass legislation to address the most important issue confronting our Nation's economy and the financial stability of our citizens—the collapse of the subprime housing market and the credit crisis it has brought about.

Unfortunately, far too many American families who are already being squeezed by the rising cost of food, oil, and gas, now find themselves forced to rely on short-term, high-interest credit card debt to finance life's daily necessities—including their mortgage payments—because of the ongoing credit crisis and a weak economy.

That growing reliance was highlighted in a report released last week by the Federal Reserve. The Fed's study reported that in May, revolving consumer debt, which is primarily credit card debt, reached an all-time record high of slightly over $961 billion. That is a 7-percent increase in the last month alone, which is on top of a 7-percent increase last year, and a 6-percent increase in 2006. At this rate, revolving consumer debt in our country, which is again primarily credit card debt, will

reach $1 trillion by the Christmas season of this year.

When I assumed the gavel of the Senate Banking Committee last January, one of the very first hearings I held was on the issue of credit card practices. At that hearing, I challenged card issuers, banks, and associations to stop engaging in practices that they were not prepared to defend before the committee.

It was my hope that the hearing and that warning would encourage the credit card industry to go through a period of intense self-examination. I had hoped the industry would scrutinize its practices and policies to ensure that credit was extended in the fairest and most transparent of terms to credit card customers. To be fair, some in the industry heeded that call. I applaud them and thank them for their efforts. Over the past year, a few credit card companies have voluntarily made changes to the way they do business, and many Americans have benefitted from those improvements.

Regrettably, however, far too few embraced this call. Even more regrettably, some that have made voluntary changes are reconsidering those steps in the face of mounting pressure to find new streams of revenue and capital, and to compete in a market where other industry participants are not engaging in these reforms, as their subprime mortgage market-related losses continue to rise. The temptation to go back to older practices to increase revenue streams is there. Unfortunately, the use of confusing, misleading, and very predatory practices, in some cases, appears likely to remain the standard operating procedure for many in the credit card industry for the foreseeable future if we fail to act. The list of these troubling practices is lengthy: Charging predatory rates and fees; engaging in deceptive marketing to young people; practices such as universal default; double-cycle billing; retroactive interest rate increases; ''any time, any reason'' repricing; and billings shenanigans—like shortening the period consumers have to pay their bills, or charging fees for payment by telephone—are just a few of the practices that could merit induction into a fairly crowded industry ''hall of shame.''

Even the financial regulators, whom I have been openly critical of for lack of appropriate oversight and response throughout the subprime mortgage market crisis, have recognized the harm these sinister practices pose not only to credit card customers but to our economy as well. In May of this year, the Federal Reserve, the Office of Thrift Supervision, and the National Credit Union Administration proposed rules aimed at curbing some of the very practices I have identified. In my view, this joint rulemaking is an important step in providing needed consumer protections in some areas, including a ban on retroactive interest rates and rules on payment allocation. But the proposed rules fall far short in other important areas—failing to address issues including universal default, ''any time, any reason'' repricing, multiple over-limit fees, and youth marketing.

These shortcomings underscore the need for the legislation Senator LEVIN and I will be talking about this evening.

I want to make it very clear—and I know my colleague feels the same way—that we are not opposed to credit cards. They are very valuable, very useful tools for consumers. So this bill is not designed in any way to deprive consumers of the use of credit cards. That is not the issue. When provided on fair terms, and used wisely and responsibly, credit cards are a valuable financial tool for millions of our fellow citizens. They can help an individual to build his or her credit history and to better pursue his or her financial goal.

But like many credit products, credit cards pose the potential to harm consumers as well as help consumers. Card companies have been far too apt to exploit the needs of consumers who are increasingly becoming ''hooked on plastic.'' That potential to harm consumers has grown in recent years as credit card usage has risen. Let me share some numbers with you to give you some idea of what has happened in this explosion of credit card usage by Americans.

Today, nearly 75 percent of American households have a credit card or a debit card, and 700 million credit cards are used to purchase in excess of $2.4 trillion in goods and services from over 7 million locations in the United States annually. In 1970, only about 16 percent of U.S. households used credit cards, and fewer than a million businesses accepted them.

As Americans have become increasingly reliant on credit cards, credit card companies have become more and more innovative in finding ways to access their customers. Over $17 billion in credit card penalty fees have been charged to the American people—new fees—in the last 2 years, since 2006. That is a tenfold increase from what was charged 10 years ago. That is $17 billion in new penalties and fees since 2006. Credit card companies are turning to innovative ways to profit—including at the gasoline pump. They are laying on fees to gas station owners for each credit card transaction made at the pump. At the very time they are watching the price of gasoline skyrocket, the credit card companies are gouging the people struggling to meet those fees. Again, card companies are laying on fees to gas station owners for each credit card transaction made at the pump—a charge that those owners immediately pass on to customers, increasing the cost of gas for drivers. In some places, these fees can add an average of 3 percent for each gasoline transaction.

The combination of the growing needs for revolving debt and hidden fees charged by card companies is contributing to the avalanche of debt under which American consumers increasingly find themselves buried. Listen to this number, because this is the one that is stunning. To give you an idea of what has happened to the average family in this country with credit card balances, today the average household that carries a credit card balance owes close to $10,000 in revolving debt on their credit cards. The average family has a balance of $10,000 in revolving debt on their credit cards.

That is a millstone around the neck of the average American and their families—families that are already struggling to make ends meet and are under pressure from rising gas prices, food prices, skyrocketing health care costs, and a mortgage crisis that has robbed many families of their home equity or, worse yet, their homes.

That is why we are introducing the Credit CARD Act. This bill will help reform credit card practices that drag so many American families further and further into debt. It strengthens regulation and oversight of the credit card industry and prohibits the unfair and deceptive practices that in far too many instances work to harm, not help, a consumer's efforts to move up the economic ladder.

Specifically, the CARD Act would prohibit the worst of the industry's practices, including imposition of excessive fees; retroactive rate increases; universal default; ''any time, any reason'' changes to credit card agreements; and unfair payment allocation.

The bill also, importantly, contains a number of provisions aimed at protecting young consumers.

This legislation builds on legislation I have introduced in previous Congresses. It also incorporates several key concepts included in the legislative proposals put forth by some of my colleagues, notably my colleague from Michigan, Senator LEVIN, and Senators MENENDEZ, MCCASKILL, and OBAMA. Each is an important cosponsor of this legislation, as are Senators REED of Rhode Island, AKAKA, TESTER, CLINTON, KERRY, SANDERS, WHITEHOUSE, and CASEY.

This bill also has the support of a wide array of consumer advocates and labor organizations, including the Consumer Federation of America, Consumers Union, National Consumer Law Center, the National Council of La Raza, Service Employees International Union, the Center for Responsible Lending, U.S. PRIG, Consumer Action, Demos, Connecticut PRIG, and the National Association of Consumer Advocates.

As policymakers, we should expect consumers will act responsibly when it comes to using credit cards, and that should be an important point to make. But we also expect no less when it comes to companies that issue these cards. They need to act responsibly, and they are not, in my view. The Credit CARD Act will help strike the

correct balance of responsibility between credit card users and the card issuers. And by striking that balance, it will help provide American consumers with a fair chance to secure economic security for them and their families.

I thank Senator LEVIN and others—especially Senator LEVIN who already held hearings on this issue. We have talked about this at length over the years. We tried in other Congresses with very modest proposals to deal with some of these problems. We have always lost those battles. But I think the American consumers, regardless of their income, regardless of their social or economic status, feel very angry about what is happening to them. As a result, I think there is a growing opportunity for us to get something done on this issue.

So while our focus today has been on foreclosure issues, the credit card problem in this country that so many Americans are facing is one that I think is ripe for congressional action. Our hope and intention is to bring a bill to the floor of this Chamber before we adjourn for the year to give our colleagues a chance to express themselves on this issue.

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. 3252

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Credit Card Accountability Responsibility and Disclosure Act of 2008'' or the ''Credit CARD Act of 2008''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Regulatory authority.
TITLE I—CONSUMER PROTECTION
Sec. 101. Prior notice of rate increases required.
Sec. 102. Freeze on interest rate terms and fees on canceled cards.
Sec. 103. Limits on fees and interest charges.
Sec. 104. Consumer right to reject card before notice is provided of open account.
Sec. 105. Use of terms clarified.
Sec. 106. Application of card payments.
Sec. 107. Length of billing period.
Sec. 108. Prohibition on universal default and unilateral changes to cardholder agreements.
Sec. 109. Enhanced penalties.
Sec. 110. Enhanced oversight.
Sec. 111. Clerical amendments.
TITLE II—ENHANCED CONSUMER DISCLOSURES
Sec. 201. Payoff timing disclosures.
Sec. 202. Requirements relating to late payment deadlines and penalties.
Sec. 203. Renewal disclosures.
TITLE III—PROTECTION OF YOUNG CONSUMERS
Sec. 301. Extensions of credit to underage consumers.
Sec. 302. Restrictions on certain affinity cards.
Sec. 303. Protection of young consumers from prescreened credit offers.
TITLE IV—FEDERAL AGENCY COORDINATION
Sec. 401. Inclusion of all Federal banking agencies.
TITLE V—MISCELLANEOUS PROVISIONS
Sec. 501. Study and report.
Sec. 502. Credit Card Safety Rating System Commission.

SEC. 2. REGULATORY AUTHORITY.

The Board of Governors of the Federal Reserve System (in this Act referred to as the ''Board'') may issue such rules and publish such model forms as it considers necessary to carry out this Act and the amendments made by this Act.

TITLE I—CONSUMER PROTECTION

SEC. 101. PRIOR NOTICE OF RATE INCREASES REQUIRED.

Section 127 of the Truth in Lending Act (15 U.S.C. 1637) is amended by adding at the end the following:

''(i) ADVANCE NOTICE OF INCREASE IN INTEREST RATE REQUIRED.—

''(1) IN GENERAL.—In the case of any credit card account under an open end consumer credit plan, no increase in any annual percentage rate (other than an increase due to the expiration of any introductory percentage rate, or due solely to a change in another rate of interest to which such rate is indexed)—

''(A) may take effect before the beginning of the billing cycle which begins not earlier than 45 days after the date on which the obligor receives notice of such increase; or

''(B) may apply to any outstanding balance of credit under such plan, as of the effective date of the increase required under subparagraph (A).

''(2) NOTICE OF RIGHT TO CANCEL.—The notice referred to in paragraph (1) shall be made in a clear and conspicuous manner, and shall contain a brief statement of the right of the obligor to cancel the account before the effective date of the increase.''.

SEC. 102. FREEZE ON INTEREST RATE TERMS AND FEES ON CANCELED CARDS.

Section 127 of the Truth in Lending Act (15 U.S.C. 1637) is amended by adding at the end the following:

''(j) FREEZE ON INTEREST RATE TERMS AND FEES ON CANCELED CARDS.—

''(1) IN GENERAL.—If an obligor under an open end consumer credit plan closes or cancels a credit card account, the repayment of the outstanding balance after the cancellation shall be subject to all terms and conditions in effect for the obligor immediately before the card was closed or cancelled, including the annual percentage rate and the minimum payment terms in effect immediately prior to such closure or cancellation.

''(2) RULE OF CONSTRUCTION.—Closure or cancellation of an account by the obligor shall not constitute a default under an existing cardholder agreement, and shall not trigger an obligation to immediately repay the obligation in full.''.

SEC. 103. LIMITS ON FEES AND INTEREST CHARGES.

Section 127 of the Truth in Lending Act (15 U.S.C. 1637) is amended by adding at the end the following:

''(k) PROHIBITION ON PENALTIES FOR ON-TIME PAYMENTS.—If an open end consumer credit plan provides a time period within which an obligor may repay any portion of the credit extended without incurring an interest charge, and the obligor repays all or a portion of such credit within the specified time period, the creditor may not impose or collect an interest charge on the portion of the credit that was repaid within the specified time period.

''(l) OPT-OUT OF CREDITOR AUTHORIZATION OF OVER-THE-LIMIT TRANSACTIONS IF FEES ARE IMPOSED.—

''(1) IN GENERAL.—In the case of any credit card account under an open end consumer credit plan under which an over-the-limit-fee may be imposed by the creditor for any extension of credit in excess of the amount of credit authorized to be extended under such account, the consumer may elect to prohibit the creditor from completing any over-the-limit transaction that will result in a fee or constitute a default under the credit agreement, by notifying the creditor of such election in accordance with paragraph (2).

''(2) NOTIFICATION BY CONSUMER.—A consumer shall notify a creditor under paragraph (1)—

''(A) through the notification system maintained by the creditor under paragraph (4); or

''(B) by submitting to the creditor a signed notice of election, by mail or electronic communication, on a form issued by the creditor for purposes of this subparagraph.

''(3) EFFECTIVENESS OF ELECTION.—An election by a consumer under paragraph (1) shall be effective beginning 3 business days after the date on which the consumer notifies the creditor in accordance with paragraph (2), and shall remain effective until the consumer revokes the election.

''(4) NOTIFICATION SYSTEM.—Each creditor that maintains credit card accounts under an open end consumer credit plan shall establish and maintain a notification system, including a toll-free telephone number, Internet address, and Worldwide Web site, which permits any consumer whose credit card account is maintained by the creditor to notify the creditor of an election under this subsection, in accordance with paragraph (2).

''(5) ANNUAL NOTICE TO CONSUMERS OF AVAILABILITY OF ELECTION.—In the case of any credit card account under an open end consumer credit plan, the creditor shall include a notice, in clear and conspicuous language, of the availability of an election by the consumer under this paragraph as a means of avoiding over-the-limit fees and a higher amount of indebtedness, and the method for providing such election—

''(A) in the periodic statement required under subsection (b) with respect to such account at least once each calendar year; and

''(B) in any such periodic statement which includes a notice of the imposition of an over-the-limit fee during the period covered by the statement.

''(6) NO FEES IF CONSUMER HAS MADE AN ELECTION.—If a consumer has made an election under paragraph (1), no over-the-limit fee may be imposed on the account for any reason that has caused the outstanding balance in the account to exceed the credit limit.

''(m) OVER-THE-LIMIT FEE RESTRICTIONS.—With respect to a credit card account under an open end consumer credit plan, an over-the-limit fee, as described in subsection (c)(1)(B)(iii)—

''(1) may be imposed on the account only when an extension of credit obtained by the obligor causes the credit limit on such account to be exceeded, and may not be imposed when such credit limit is exceeded due to a fee or interest charge; and

''(2) may be imposed only once during a billing cycle if, on the last day of such billing cycle, the credit limit on the account is exceeded, and may not be imposed in a subsequent billing cycle with respect to such excess credit, unless the obligor has obtained an additional extension of credit in excess of such credit limit during such subsequent cycle.

''(n) NO INTEREST CHARGES ON FEES.—With respect to a credit card account under an open end consumer credit plan, if the creditor imposes a transaction fee on the obligor, including a cash advance fee, late fee, over-the-limit fee, or balance transfer fee, the creditor may not impose or collect interest with respect to such fee amount.

''(o) LIMITS ON CERTAIN FEES.—

''(1) NO FEE TO PAY A BILLING STATEMENT.—With respect to a credit card account under an open end consumer credit plan, the creditor may not impose a separate fee to allow the obligor to repay an extension of credit or finance charge, whether such repayment is made by mail, electronic transfer, telephone authorization, or other means.

''(2) REASONABLE FEES FOR VIOLATIONS.—The amount of any fee or charge that a card issuer may impose in connection with any omission with respect to, or violation of, the cardholder agreement, including any late payment fee, over the limit fee, increase in the applicable annual percentage rate, or any similar fee or charge, shall be reasonably related to the cost to the card issuer of such omission or violation.

''(3) REASONABLE CURRENCY EXCHANGE FEE.—With respect to a credit card account under an open end consumer credit plan, the creditor may impose a fee for exchanging United States currency with foreign currency in an account transaction, only if—

''(A) such fee reasonably reflects the costs incurred by the creditor to perform such currency exchange;

''(B) the creditor discloses publicly its method for calculating such fee; and

''(C) the primary Federal regulator of such creditor determines that the method for calculating such fee complies with this paragraph.''.

SEC. 104. CONSUMER RIGHT TO REJECT CARD BEFORE NOTICE IS PROVIDED OF OPEN ACCOUNT.

Section 127 of the Truth in Lending Act (15 U.S.C. 1637) is amended by adding at the end the following:

''(p) CONSUMER RIGHT TO REJECT CARD BEFORE NOTICE OF NEW ACCOUNT IS PROVIDED TO CONSUMER REPORTING AGENCY.—A creditor may not furnish any information to a consumer reporting agency (as defined in section 603) concerning a newly opened credit card account under an open end consumer credit plan until the credit card has been used or activated by the consumer.''.

SEC. 105. USE OF TERMS CLARIFIED.

Section 127 of the Truth in Lending Act (15 U.S.C. 1637) is amended by adding at the end the following:

''(q) USE OF TERMS.—The following requirements shall apply with respect to the terms of any credit card account under any open end consumer credit plan:

''(1) FIXED RATE.—The term 'fixed', when appearing in conjunction with a reference to the annual percentage rate or interest rate applicable with respect to such account, may only be used to refer to an annual percentage rate or interest rate that will not change or vary for any reason over the period specified clearly and conspicuously in the terms of the account.

''(2) PRIME RATE.—The term 'prime rate', when appearing in any agreement or contract for any such account, may only be used to refer to the bank prime rate published in the Federal Reserve Statistical Release on selected interest rates (daily or weekly), and commonly referred to as the 'H.15 release' (or any successor publication).''.

SEC. 106. APPLICATION OF CARD PAYMENTS.

Section 164 of the Truth in Lending Act (15 U.S.C. 1666c) is amended—

(1) by striking the section heading and all that follows through ''Payments'' and inserting the following:

''§ 164. Prompt and fair crediting of payments

''(a) IN GENERAL.—Payments'';

(2) by inserting '', by 5:00 p.m. on the date on which such payment is due,'' after ''in readily identifiable form'';

(3) by striking ''manner, location, and time'' and inserting ''manner, and location''; and

(4) by adding at the end the following:

''(b) APPLICATION OF PAYMENTS.—Upon receipt of a payment from a cardholder, the card issuer shall—

''(1) apply the payment first to the card balance bearing the highest rate of interest, and then to each successive balance bearing the next highest rate of interest, until the payment is exhausted; and

''(2) after complying with paragraph (1), apply the payment in a way that minimizes the amount of any finance charge to the account.

''(c) CHANGES BY CARD ISSUER.—If a card issuer makes a material change in the mailing address, office, or procedures for handling cardholder payments, and such change causes a material delay in the crediting of a cardholder payment made during the 60-day period following the date on which such change took effect, the card issuer may not impose any late fee or finance charge for a late payment on the credit card account to which such payment was credited.

''(d) PRESUMPTION OF TIMELY PAYMENT.—Any evidence provided by a consumer in the form of a receipt from the United States Postal Service or other common carrier indicating that a payment on a credit card account was sent to the card issuer not less than 7 days before the due date contained in the periodic statement for such payment shall create a presumption that such payment was made by the due date, which may be rebutted by the creditor for fraud or dishonesty on the part of the consumer with respect to the mailing date.''.

SEC. 107. LENGTH OF BILLING PERIOD.

Section 163(a) of the Truth in Lending Act (15 U.S.C. 1668(a)) is amended by striking ''mailed at least fourteen days prior'' and inserting ''mailed at least 21 days prior''.

SEC. 108. PROHIBITION ON UNIVERSAL DEFAULT AND UNILATERAL CHANGES TO CARDHOLDER AGREEMENTS.

(a) IN GENERAL.—Chapter 4 of the Truth in Lending Act (15 U.S.C. 1666 et seq.) is amended—

(1) by redesignating section 171 as section 173; and

(2) by inserting after section 170 the following:

''SEC. 171. LIMITS ON INTEREST RATE INCREASES.

''(a) IN GENERAL.—No card issuer may increase any annual percentage rate, fee, or finance charge applicable to a credit card account under an open end consumer credit plan, or terminate early a lower introductory rate, fee, or charge, except as permitted under this section.

''(b) EXCEPTIONS.—The limitation under subsection (a) shall not apply to—

''(1) an increase due to the scheduled expiration of an introductory term;

''(2) an increase in a variable annual percentage rate, fee, or finance charge in accordance with a credit card agreement that provides for changes according to an index or formula;

''(3) an increase due to a specific, material action or omission of a consumer in violation of an agreement that is directly related to such account and that is specified in the contract or agreement as grounds for an increase, except that—

''(A) the creditor may not take into account information not directly related to the account, including adverse information concerning the consumer, information in any consumer report, or changes in the credit score of the consumer; and

''(B) an increase described in this paragraph shall terminate not later than 6 months after the date on which it is imposed, if the consumer commits no further violations; or

''(4) a change that takes effect upon renewal of the card in accordance with section 172.

''(c) MAP TO LOWER RATE.—

''(1) IN GENERAL.—A card issuer that increases an annual percentage rate, fee, or finance charge pursuant to subsection (b)(3) shall include, together with the notice of such increase under section 127(i), a statement, provided in a clear and conspicuous manner—

''(A) of the discrete, specific action or omission of the consumer on which the increase was based; and

''(B) that the increase will terminate in 6 months if the consumer does not commit further violations.

''(2) BOARD AUTHORITY.—The Board may, by rule, provide for exceptions to the requirements of subsection (b)(3)(B), if the Board determines that there are other appropriate factors that creditors may consider in determining the appropriate annual percentage rate for particular consumers.

''SEC. 172. UNILATERAL CHANGES IN CREDIT CARD AGREEMENT PROHIBITED.

''A card issuer may not amend or change the terms of a credit card contract or agreement under an open end consumer credit plan, until after the date on which the credit card will expire if not renewed.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 4 of the Truth in Lending Act is amended by striking the item relating to section 171 and inserting the following:

''171. Universal defaults prohibited.
''172. Unilateral changes in credit card agreement prohibited.
''173. Applicability of State laws.''.

SEC. 109. ENHANCED PENALTIES.

Section 130(a)(2)(A) of the Truth in Lending Act (15 U.S.C. 1640(a)(2)(A)) is amended by striking ''or (iii) in the'' and inserting the following: ''(iii) in the case of an individual action relating to an open end consumer credit plan that is not secured by real property or a dwelling, twice the amount of any finance charge in connection with the transaction, with a minimum of $500 and a maximum of $5,000, or such higher amount as may be appropriate in the case of an established pattern or practice of such failures; or (iv) in the''.

SEC. 110. ENHANCED OVERSIGHT.

(a) IN GENERAL.—Section 127 of the Truth in Lending Act (15 U.S.C. 1637) is amended by adding at the end the following:

''(s) EVALUATION OF CREDIT CARD POLICIES AND PROCEDURES.—

''(1) IN GENERAL.—In connection with its examination of a credit card issuer under its supervision, each agency referred to in paragraphs (1), (2), and (3) of section 108(a) shall conduct, as appropriate, an evaluation of the credit card policies and procedures used by such card issuer to ensure compliance with this section and sections 163, 164, 171, and 172. Such agency shall promptly require the card issuer to take any corrective action needed to address any violations of any such section.

''(2) ANNUAL REPORTS TO CONGRESS.—Each year, each agency referred to in subsections (a) and (c) of section 108 shall submit a report to Congress concerning the administration of its functions under this section, including such recommendations as the agency deems necessary or appropriate. Each such

report shall include an assessment of the extent to which compliance with the requirements of this section is being achieved and a summary of the enforcement actions taken by the agency assigned administrative enforcement responsibilities under subsections (a) and (c) of section 108.''.

(b) STRENGTHENED CREDIT CARD INFORMATION COLLECTION.—Section 136(b) of the Truth in Lending Act (15 U.S.C. 1646(b)) is amended—

(1) in paragraph (1)—

(A) by striking ''The Board shall'' and inserting the following:

''(A) IN GENERAL.—The Board shall''; and

(B) by adding at the end the following:

''(B) INFORMATION TO BE INCLUDED.—The information under subparagraph (A) shall include, as of a date designated by the Board—

''(i) a list of each type of transaction or event for which one or more of the card issuers has imposed a separate interest rate upon a cardholder, including purchases, cash advances, and balance transfers;

''(ii) for each type of transaction or event identified under clause (i)—

''(I) each distinct interest rate charged by the card issuer to a cardholder, as of the designated date;

''(II) the number of cardholders to whom each such interest rate was applied during the calendar month immediately preceding the designated date, and the total amount of interest charged to such cardholders at each such rate during such month;

''(III) the number of cardholders who are paying the stated default annual percentage rate applicable in cases in which the account is past due or the account holder is otherwise in violation of the terms of the account agreement; and

''(IV) the number of cardholders who are paying above such stated default annual percentage rate;

''(iii) a list of each type of fee that one or more of the card issuers has imposed upon a cardholder as of the designated date, including any fee imposed for obtaining a cash advance, making a late payment, exceeding the credit limit on an account, making a balance transfer, or exchanging United States dollars for foreign currency;

''(iv) for each type of fee identified under clause (iii), the number of cardholders upon whom the fee was imposed during the calendar month immediately preceding the designated date, and the total amount of fees imposed upon cardholders during such month;

''(v) the total number of cardholders that incurred any interest charge or any fee during the calendar month immediately preceding the designated date; and

''(vi) any other information related to interest rates, fees, or other charges that the Board deems of interest.''; and

(2) by adding at the end the following:

''(5) REPORT TO CONGRESS.—The Board shall, on an annual basis, transmit to Congress and make public a report containing an assessment by the Board of the profitability of credit card operations of depository institutions. Such report shall include estimates by the Board of the approximate, relative percentage of income derived by such operations from—

''(A) the imposition of interest rates on cardholders, including separate estimates for—

''(i) interest with an annual percentage rate of less than 25 percent; and

''(ii) interest with an annual percentage rate equal to or greater than 25 percent;

''(B) the imposition of fees on cardholders;

''(C) the imposition of fees on merchants; and

''(D) any other material source of income, while specifying the nature of that income.''.

SEC. 111. CLERICAL AMENDMENTS.

Section 103(i) of the Truth in Lending Act (15 U.S.C. 1602(i)) is amended—

(1) by striking ''term'' and all that follows through ''means'' and inserting the following: ''terms 'open end credit plan' and 'open end consumer credit plan' mean''; and

(2) in the second sentence, by inserting ''or open end consumer credit plan'' after ''credit plan'' each place that term appears.

TITLE II—ENHANCED CONSUMER DISCLOSURES

SEC. 201. PAYOFF TIMING DISCLOSURES.

(a) IN GENERAL.—Section 127(b)(11) of the Truth in Lending Act (15 U.S.C. 1637(b)(11)) is amended to read as follows:

''(11)(A) A written statement in the following form: 'Minimum Payment Warning: Making only the minimum payment will increase the interest rate you pay and the time it takes to repay your balance.'.

''(B) Repayment information that would apply to the outstanding balance of the consumer under the credit plan, including—

''(i) the number of months (rounded to the nearest month) that it would take to pay the entire amount of that balance, if the consumer pays only the required minimum monthly payments and if no further advances are made;

''(ii) the total cost to the consumer, including interest and principal payments, of paying that balance in full, if the consumer pays only the required minimum monthly payments and if no further advances are made; and

''(iii) the monthly payment amount that would be required for the consumer to eliminate the outstanding balance in 36 months, if no further advances are made, and the total cost to the consumer, including interest and principal payments, of paying that balance in full if the consumer pays the balance over 36 months.

''(C)(i) Subject to clause (ii), in making the disclosures under subparagraph (B), the creditor shall apply the interest rate or rates in effect on the date on which the disclosure is made until the date on which the balance would be paid in full.

''(ii) If the interest rate in effect on the date on which the disclosure is made is a temporary rate that will change under a contractual provision applying an index or formula for subsequent interest rate adjustment, the creditor shall apply the interest rate in effect on the date on which the disclosure is made for as long as that interest rate will apply under that contractual provision, and then apply an interest rate based on the index or formula in effect on the applicable billing date.

''(D) All of the information described in subparagraph (B) shall—

''(i) be disclosed in the form and manner which the Board shall prescribe, by regulation, and in a manner that avoids duplication; and

''(ii) be placed in a conspicuous and prominent location on the billing statement, in typeface that is at least as large as the largest type on the statement.

''(E) In the regulations prescribed under subparagraph (D), the Board shall require that the disclosure of such information shall be in the form of a table that—

''(i) contains clear and concise headings for each item of such information; and

''(ii) provides a clear and concise form stating each item of information required to be disclosed under each such heading.

''(F) In prescribing the form of the table under subparagraph (E), the Board shall require that—

''(i) all of the information in the table, and not just a reference to the table, be placed on the billing statement, as required by this paragraph; and

''(ii) the items required to be included in the table shall be listed in the order in which such items are set forth in subparagraph (B).

''(G) In prescribing the form of the table under subparagraph (D), the Board shall employ terminology which is different than the terminology which is employed in subparagraph (B), if such terminology is more easily understood and conveys substantially the same meaning.''.

(b) CIVIL LIABILITY.—Section 130(a) of the Truth in Lending Act (15 U.S.C. 1640(a)) is amended, in the undesignated paragraph following paragraph (4), by striking the second sentence and inserting the following: ''In connection with the disclosures referred to in subsections (a) and (b) of section 127, a creditor shall have a liability determined under paragraph (2) only for failing to comply with the requirements of section 125, 127(a), or any of paragraphs (4) through (13) of section 127(b), or for failing to comply with disclosure requirements under State law for any term or item that the Board has determined to be substantially the same in meaning under section 111(a)(2) as any of the terms or items referred to in section 127(a), or any of paragraphs (4) through (13) of section 127(b).''.

SEC. 202. REQUIREMENTS RELATING TO LATE PAYMENT DEADLINES AND PENALTIES.

Section 127(b)(12) of the Truth in Lending Act (15 U.S.C. 1637(b)(12)) is amended to read as follows:

''(12) REQUIREMENTS RELATING TO LATE PAYMENT DEADLINES AND PENALTIES.—

''(A) LATE PAYMENT DEADLINE AND POSTMARK DATE REQUIRED TO BE DISCLOSED.—In the case of a credit card account under an open end consumer credit plan under which a late fee or charge may be imposed due to the failure of the obligor to make payment on or before the due date for such payment, the periodic statement required under subsection (b) with respect to the account shall include, in a conspicuous location on the billing statement—

''(i) the date on which the payment is due or, if different, the date on which a late payment fee will be charged, together with the amount of the fee or charge to be imposed if payment is made after that date; and

''(ii) the date by which the payment must be postmarked, if paid by mail, in order to avoid the imposition of a late payment fee with respect to the payment, and a statement to that effect.

''(B) DISCLOSURE OF INCREASE IN INTEREST RATES FOR LATE PAYMENTS.—If 1 or more late payments under an open end consumer credit plan may result in an increase in the annual percentage rate applicable to the account, the statement required under subsection (b) with respect to the account shall include conspicuous notice of such fact, together with the applicable penalty annual percentage rate, in close proximity to the disclosure required under subparagraph (A) of the date on which payment is due under the terms of the account.

''(C) REQUIREMENTS RELATING TO POSTMARK DATE.—

''(i) IN GENERAL.—The date included in a periodic statement pursuant to subparagraph (A)(ii) with regard to the postmark on a payment shall allow, in accordance with regulations prescribed by the Board under clause (ii), a reasonable time for the consumer to make the payment and a reasonable time for the delivery of the payment by the due date.

''(ii) BOARD REGULATIONS.—The Board shall prescribe guidelines for determining a reasonable period of time for making a payment and delivery of a payment for purposes of

clause (i), after consultation with the Postmaster General of the United States and representatives of consumer and trade organizations.

''(D) PAYMENTS AT LOCAL BRANCHES.—If the creditor, in the case of a credit card account referred to in subparagraph (A), is a financial institution which maintains branches or offices at which payments on any such account are accepted from the obligor in person, the date on which the obligor makes a payment on the account at such branch or office shall be considered to be the date on which the payment is made for purposes of determining whether a late fee or charge may be imposed due to the failure of the obligor to make payment on or before the due date for such payment.''.

SEC. 203. RENEWAL DISCLOSURES.

Section 127(d) of the Truth in Lending Act (15 U.S.C. 1637(d)) is amended—

(1) by striking paragraph (2);

(2) by redesignating paragraph (3) as paragraph (2); and

(3) in paragraph (1), by striking ''Except as provided in paragraph (2), a card issuer'' and inserting the following: ''A card issuer that has changed or amended any term of the account since the last renewal or''.

TITLE III—PROTECTION OF YOUNG CONSUMERS

SEC. 301. EXTENSIONS OF CREDIT TO UNDERAGE CONSUMERS.

Section 127(c) of the Truth in Lending Act (15 U.S.C. 1637(c)) is amended by adding at the end the following:

''(8) APPLICATIONS FROM UNDERAGE CONSUMERS.—

''(A) PROHIBITION ON ISSUANCE.—No credit card may be issued to, or open end consumer credit plan established by or on behalf of, a consumer who has not attained the age of 21, unless the consumer has submitted a written application to the card issuer that meets the requirements of subparagraph (B).

''(B) APPLICATION REQUIREMENTS.—An application to open a credit card account by an individual who has not attained the age of 21 as of the date of submission of the application shall require—

''(i) the signature of the parent, legal guardian, or any other individual over the age of 21 having a means to repay debts incurred by the consumer in connection with the account, indicating joint liability for debts incurred by the consumer in connection with the account before the consumer has attained the age of 21;

''(ii) submission by the consumer of financial information indicating an independent means of repaying any obligation arising from the proposed extension of credit in connection with the account; or

''(iii) completion of a certified financial literacy or financial education course designed for young consumers.

''(C) CERTIFIED FINANCIAL LITERACY OR EDUCATION COURSES FOR YOUNG CONSUMERS.—

''(i) IN GENERAL.—The Secretary of the Treasury, acting through the Office of Financial Literacy and Education (in this subparagraph referred to as 'OFE'), shall make and publish a list of all courses and programs that have been certified for financial literacy or financial education purposes appropriate for young consumers. When developing the certification criteria the OFE shall take into account the course or program's—

''(I) proven track record in producing changed consumer behavior; and

''(II) use of practices or curricula that have been shown to change consumer behavior.

''(ii) EXPLICIT ELIGIBILITY.—Courses taken that are offered or required by colleges, universities, and high schools may be certified by the OFE for purposes of this subparagraph, as well as other programs and courses. The OFE shall make an effort to provide certification to all types of programs and courses, including those that are conducted by nonprofit, faith-based, or for-profit institutions and State and local governments.

''(iii) SELECT PROGRAMS.—From among those courses or programs that are certified by the OFE under this subparagraph, the OFE may designate a select number of programs or courses that produce results that are far better than those produced by other certified programs as 'highly certified'.''.

SEC. 302. RESTRICTIONS ON CERTAIN AFFINITY CARDS.

Section 127 of the Truth in Lending Act (15 U.S.C. 1637), as amended by this Act, is amended by adding at the end the following:

''(t) RESTRICTIONS ON ISSUANCE OF AFFINITY CARDS TO STUDENTS.—No credit card account under an open end consumer credit plan may be established by an individual who has not attained the age of 21 as of the date of submission of the application pursuant to any direct or indirect agreement relating to affinity cards, as defined by the Board, between the creditor and an institution of higher education, as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)), unless the requirements of subsection (c)(8) are met with respect to the obligor.''.

SEC. 303. PROTECTION OF YOUNG CONSUMERS FROM PRESCREENED CREDIT OFFERS.

(a) IN GENERAL.—Section 604(c)(1)(B) of the Fair Credit Reporting Act (15 U.S.C. 1681b(c)(1)(B)) is amended—

(1) in clause (ii), by striking ''and'' at the end; and

(2) in clause (iii), by striking the period at the end and inserting the following: ''; and

''(iv) the consumer report indicates that the consumer is age 21 or older, except that a consumer who is at least 18 years of age may elect, in accordance with subsection (e)(7), to authorize the consumer reporting agency to include the name and address of the consumer in any list of names provided by the agency pursuant to this paragraph.''.

(b) OPT-IN FOR YOUNG CONSUMERS.—Section 604(e) of the Fair Credit Reporting Act (15 U.S.C. 1681b(e)) is amended—

(1) by striking the subsection heading and inserting the following:

''(e) ELECTION OF CONSUMERS REGARDING LISTS.—''; and

(2) by adding at the end the following:

''(7) OPT-IN FOR UNDERAGE CONSUMERS.—

''(A) IN GENERAL.—A consumer who is at least 18 years of age, but has not attained his or her 21st birthday, may elect to have the name and address of the consumer included in any list provided by a consumer reporting agency under subsection (c)(1)(B) in connection with a credit or insurance transaction that is not initiated by the consumer by notifying the agency in accordance with subparagraph (B) that the consumer consents to the use of a consumer report relating to the consumer in connection with any credit or insurance transaction that is not initiated by the consumer.

''(B) MANNER OF NOTIFICATION.—An election by a consumer described in subparagraph (A) shall be in writing, using a signed notice of election form issued or made available electronically by the consumer reporting agency at the request of the consumer for purposes of this paragraph.

''(C) EFFECTIVENESS OF ELECTION.—An election by a consumer under subparagraph (A) to be included in a list provided by a consumer reporting agency—

''(i) shall be effective until the earlier of—

''(I) the 21st birthday of the consumer; or

''(II) the date on which the consumer notifies the agency, through the notification system established by the agency under paragraph (5), that the election is no longer effective; and

''(ii) shall be effective with respect to each affiliate of the agency.

''(D) RULE OF CONSTRUCTION.—An election by a consumer under subparagraph (A) to be included in a list provided by a consumer reporting agency may not be construed to limit the applicability of this subsection to any person age 21 or older, and the consumer may elect to be excluded from any such list after the attainment of his or her 21st birthday in the manner otherwise provided under this subsection.''.

TITLE IV—FEDERAL AGENCY COORDINATION

SEC. 401. INCLUSION OF ALL FEDERAL BANKING AGENCIES.

(a) IN GENERAL.—Section 18(f)(1) of the Federal Trade Commission Act (15 U.S.C. 57a(f)(1)) is amended in the second sentence—

(1) by striking ''The Board of Governors of the Federal Reserve System (with respect to banks) and the Federal Home Loan Bank Board (with respect to savings and loan institutions described in paragraph (3)) and the National Credit Union Administration Board (with respect to Federal credit unions described in paragraph (4))'' and inserting ''Each appropriate Federal banking agency''; and

(2) by inserting ''in consultation with the Commission'' after ''shall prescribe regulations''.

(b) FTC CONCURRENT RULEMAKING.—Section 18(f)(1) of the Federal Trade Commission Act (15 U.S.C. 57a(f)(1)) is amended by inserting after the second sentence the following: ''Notwithstanding any other provision of this section, whenever such agencies commence such a rulemaking proceeding, the Commission, with respect to the entities within its jurisdiction under this Act, may commence a rulemaking proceeding and prescribe regulations in accordance with section 553 of title 5, United States Code. The Commission, the Federal banking agencies, and the National Credit Union Administration Board shall consult and coordinate with each other so that the regulations prescribed by each such agency are consistent with and comparable to the regulations prescribed by each other such agency, to the extent practicable.''.

(c) PRESERVATION OF STATE LAW.—Section 18(f)(6) of the Federal Trade Commission Act (15 U.S.C. 57a(f)(6)) is amended to read as follows:

''(6) Notwithstanding any other provision of this subsection or any other provision of law, regulations promulgated under this subsection shall be considered supplemental to State laws governing unfair and deceptive acts and practices, and may not be construed to preempt any provision of State law that provides equal or greater protections.''.

(d) GAO STUDY AND REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall transmit to Congress a report on the status of regulations of the Federal banking agencies and the National Credit Union Administration regarding unfair and deceptive acts or practices by depository institutions and Federal credit unions.

(e) TECHNICAL AND CONFORMING AMENDMENTS.—Section 18(f) of the Federal Trade Commission Act (15 U.S.C. 57a(f)) is amended—

(1) in the subsection heading, by striking ''BOARD'' and all that follows through ''ADMINISTRATION'' and inserting ''APPROPRIATE FEDERAL BANKING AGENCIES''

(2) in paragraph (1), in the first sentence—

(A) by striking ''banks or savings and loan institutions described in paragraph (3), each

agency specified in paragraph (2) or (3) of this subsection shall establish'' and inserting ''depository institutions or Federal credit unions, each appropriate Federal banking agency shall establish''; and

(B) by striking ''banks or savings and loan institutions described in paragraph (3), subject to its jurisdiction'' and inserting ''the depository institutions or Federal credit unions subject to the jurisdiction of such appropriate Federal banking agency'';

(3) in paragraph (1), in the final sentence—

(A) by striking ''each such Board'' and inserting ''each such appropriate Federal banking agency'';

(B) by striking ''banks or savings and loan institutions described in paragraph (3), or Federal credit unions described in paragraph (4), as the case may be,'' each place that term appears and inserting ''depository institutions or Federal credit unions subject to the jurisdiction of such appropriate Federal banking agency'';

(C) by striking ''(A) any such Board'' and inserting ''(A) any such appropriate Federal banking agency''; and

(D) by striking ''with respect to banks, savings and loan institutions'' and inserting ''with respect to depository institutions'';

(4) in paragraph (2)(C), by inserting ''than'' after ''(other'';

(5) in paragraph (3), by inserting ''by the Director of the Office of Thrift Supervision'' before the period at the end;

(6) in paragraph (4), by inserting ''by the National Credit Union Administration'' before the period at the end;

(7) in paragraph (6), by striking ''the Board of Governors of the Federal Reserve System'' and inserting ''any Federal banking agency or the National Credit Union Administration Board''; and

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

''(8) For purposes of this subsection—

''(A) the term 'appropriate Federal banking agency' has the same meaning as in section 3 of the Federal Deposit Insurance Act, and includes the National Credit Union Administration Board with respect to Federal credit unions;

''(B) the terms 'depository institution' and 'Federal banking agency' have the same meanings as in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813); and

''(C) the term 'Federal credit union' has the same meaning as in section 101 of the Federal Credit Union Act (12 U.S.C. 1752).''.

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. STUDY AND REPORT.

(a) STUDY REQUIRED.—The Comptroller General (in this section referred to as the ''Comptroller'') shall conduct a study on interchange fees and their effects on consumers and merchants. The Comptroller shall review—

(1) the extent to which interchange fees are required to be disclosed to consumers and merchants, and how such fees are overseen by the Federal banking agencies or other regulators;

(2) the ways in which the interchange system affects the ability of merchants of varying size to negotiate pricing with card associations and banks;

(3) the costs and factors incorporated into interchange fees, such as advertising, bonus miles, and rewards, how such costs and factors vary among cards; and

(4) the consequences of the undisclosed nature of interchange fees on merchants and consumers with regard to prices charged for goods and services.

(b) REPORT REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Comptroller shall submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives containing a detailed summary of the findings and conclusions of the study required by this section, together with such recommendations for legislative or administrative actions as may be appropriate.

SEC. 502. CREDIT CARD SAFETY RATING SYSTEM COMMISSION STUDY.

(a) DEFINITION.—In this section, the term ''safety'' refers to the amount of risk to cardholders that results from credit card practices and terms in credit card agreements that are either not well understood by consumers, or are not easily understood, or could have an adverse financial effect on consumers, other than interest rates, periodic fees, or rewards.

(b) ESTABLISHMENT OF SAFETY RATING SYSTEM.—The Comptroller General of the United States (in this section referred to as the ''Comptroller'') shall establish an entity to be known as the ''Credit Card Safety Rating System Commission'' (in this section referred to as the ''Commission'').

(c) DUTIES.—The duties of the Commission shall be—

(1) to determine if a rating system to allow cardholders to quickly assess the level of safety of credit card agreements would be beneficial to consumers;

(2) to assess the impact on credit card transparency and consumer safety of various rating system policy options, including—

(A) the use of a 5-star rating system to reflect the relative safety of card terms, marketing and customer service practices, and product features;

(B) making the use of the system mandatory for all cards;

(C) requiring a graphic display of rating on all marketing material, applications, billing statements, and agreements associated with that credit card, as well as on the back of each such credit card;

(D) requiring an annual review of the safety rating system, to determine whether the point system is effectively aiding consumers and encouraging transparent competition and fairness to consumers; and

(E) requiring consumer access to ratings through public website and other outreach programs

(3) if it is deemed beneficial, to make recommendations to Congress concerning how such a system should be devised;

(4) to study the effects of such system on the availability and affordability of credit and the implications of changes in credit availability and affordability in the United States and in the general market for credit services due to the rating system; and

(5) by not later than March 1 of the second year after the date of enactment of this Act, to submit a report to Congress containing detailed results and recommendations, including how to create such system, if creating such system is recommended.

(d) MEMBERSHIP.—

(1) NUMBER AND APPOINTMENT.—The Commission shall be composed of 15 members appointed by the Comptroller, in accordance with this section.

(2) QUALIFICATIONS.—

(A) IN GENERAL.—The membership of the Commission, subject to subparagraph (B), shall include individuals—

(i) who have achieved national recognition for their expertise in credit cards, debt management, economics, credit availability, consumer protection, and other credit card related issues and fields; and

(ii) who provide a mix of different professions, a broad geographic representation, and a balance between urban and rural representatives.

(B) MAKEUP OF COMMISSION.—The Commission shall be comprised of—

(i) 4 representatives from consumer groups;

(ii) 4 representatives from credit card issuers or banks;

(iii) 7 representatives from nonprofit research entities or nonpartisan experts in banking and credit cards; and

(iv) not fewer than 1 of the members described in clauses (i) through (iii) who represents each of—

(I) the elderly;

(II) economically disadvantaged consumers;

(III) racial or ethnic minorities; and

(IV) students and minors.

(C) ETHICS DISCLOSURES.—The Comptroller shall establish a system for public disclosure by members of the Commission of financial and other potential conflicts of interest relating to such members. Members of the Commission shall be treated in the same manner as employees of Congress whose pay is disbursed by the Secretary of the Senate for purposes of title I of the Ethics in Government Act of 1978 (Public Law 95–521).

(3) CHAIRPERSON; VICE CHAIRPERSON.—The Comptroller shall designate a member of the Commission, at the time of appointment of the member as Chairperson and a member as Vice Chairperson for that term of appointment, except that in the case of vacancy in the position of Chairperson or Vice Chairperson of the Commission, the Comptroller may designate another member for the remainder of the term of that member.

(4) TERMS.—Members of the Commission shall be appointed for the life of the Commission. Any vacancies shall not affect the power and duties of the Commission but shall be filled in the same manner as the original appointment.

(5) COMPENSATION.—

(A) MEMBERS.—While serving on the business of the Commission (including travel time), a member of the Commission shall be entitled to compensation at the per diem equivalent of the rate provided for level IV of the Executive Schedule under section 5315 of title 5, United States Code, and while so serving away from home and the regular place of business of the member, the member may be allowed travel expenses, as authorized by the Chairperson.

(B) OTHER EMPLOYEES.—For purposes of pay (other than pay of members of the Commission) and employment benefits, rights, and privileges, all employees of the Commission shall be treated as if they were employees of the United States Senate.

(6) MEETINGS.—The Commission shall meet at the call of the Chairperson.

(e) DIRECTOR AND STAFF; EXPERTS AND CONSULTANTS.—Subject to such review as the Comptroller determines necessary to assure the efficient administration of the Commission, the Commission may—

(1) employ and fix the compensation of an Executive Director (subject to the approval of the Comptroller General) and such other personnel as may be necessary to carry out its duties (without regard to the provisions of title 5, United States Code, governing appointments in the competitive service);

(2) seek such assistance and support as may be required in the performance of its duties from appropriate Federal departments and agencies;

(3) enter into contracts or make other arrangements, as may be necessary for the conduct of the work of the Commission (without regard to section 3709 of the Revised Statutes of the United States (41 U.S.C. 5));

(4) make advance, progress, and other payments which relate to the work of the Commission;

(5) provide transportation and subsistence for persons serving without compensation; and

(6) prescribe such rules and regulations as it determines necessary with respect to the internal organization and operation of the Commission.

(f) POWERS.—

(1) OBTAINING OFFICIAL DATA.—The Commission may secure directly from any department or agency of the United States information necessary to enable it to carry out this section. Upon request of the Chairperson, the head of that department or agency shall furnish that information to the Commission on an agreed upon schedule.

(2) DATA COLLECTION.—In order to carry out its functions, the Commission shall—

(A) utilize existing information, both published and unpublished, where possible, collected and assessed either by its own staff or under other arrangements made in accordance with this section;

(B) carry out, or award grants or contracts for, original research and experimentation, where existing information is inadequate; and

(C) adopt procedures allowing any interested party to submit information for the Commission's use in making reports and recommendations.

(3) ACCESS OF GAO INFORMATION.—The Comptroller shall have unrestricted access to all deliberations, records, and nonproprietary data of the Commission, immediately upon request.

(4) PERIODIC AUDIT.—The Commission shall be subject to periodic audit by the Comptroller.

(g) ADMINISTRATIVE AND SUPPORT SERVICES.—The Comptroller shall provide such administrative and support services to the Commission as may be necessary to carry out this section.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Commission such sums as may be necessary to carry out this section.

Mr. LEVIN. Mr. President, I know the Senator from Connecticut has to leave, but before he does leave the floor, I congratulate and commend him on this bill. He has put a huge amount of effort into this issue over the years. This bill reflects that effort. His leadership in this matter will make a huge difference in getting this bill enacted. I thank him for that leadership and thank him for this bill.

Mr. DODD. I thank my colleague.

Mr. LEVIN. Mr. President, the legislation we are introducing today is going to combat credit card abuses that have been hurting American consumers for far too long. With all the economic hardship facing Americans today, from falling home prices to rising gasoline and food costs, it is more important than ever for Congress to act now to stop credit card abuses and protect American families from unfair credit card practices.

Credit card companies regularly use a host of unfair practices. They hike the interest rates of cardholders who pay on time and comply with their credit card agreements. They impose interest rates as high as 32 percent. They charge interest for debt that was paid on time. They apply higher interest rates retroactively to existing credit card debt. They pile on excessive fees and then have the gall to charge interest on those fees. They apply consumer payments first to the debt with the least expensive interest rate, saving the higher interest rate debt to be paid off last. And they engage in a number of other unfair practices that are burying American consumers in a mountain of debt. It is long past time to enact legislation to protect American consumers.

The bill we are introducing today will not only help protect consumers, but it will also help ensure that credit card companies willing to do the right thing are not put at a competitive disadvantage by companies continuing unfair practices.

Some argue that Congress does not need to ban unfair credit card practices. They contend that improved disclosure alone will empower consumers to seek out better deals. Sunlight can be a powerful disinfectant, but credit cards have become such complex financial products that even improved disclosure will not be enough to curb the abuses. Some practices are so confusing that consumers cannot easily understand them. Additionally, better disclosure does not always lead to greater market competition, especially when essentially an entire industry is using and benefiting from practices that unfairly hurt consumers.

Credit card issuers like to say they are engaged in a risky business, lending unsecured debt to millions of consumers. But it is clear they have learned to price credit card products in ways that produce enormous profit. For the last decade, credit card issuers have maintained their position as the most profitable sector in the consumer lending field and reported consistently higher rates of return than commercial banks.

In 2006, Americans used 700 million credit cards to buy about $2 trillion in goods and services. The average American family now has five credit cards. Credit cards are being used to pay for groceries, mortgage payments, and even taxes, and they are saddling U.S. consumers, from college students to seniors, with a mountain of debt. The latest figures show that U.S. credit card debt is now approaching $1 trillion. These consumers are routinely being subjected to unfair practices that squeeze them for ever more money, sinking them further into debt.

While the remaining legislative days in this Congress are dwindling, there is still time to enact strong credit card reform legislation. Too many American families are being hurt by too many unfair credit card practices to delay action any longer.

I commend Senator DODD for tackling credit card reform. I look forward to Congress taking the steps needed this session to ban unfair practices that are causing so much pain and financial damage to American families today.

Credit card abuse is a topic, as Senator DODD mentioned, with which I have been deeply involved over the past several years through a number of investigations in the Permanent Subcommittee on Investigations. We held two subcommittee hearings in 2007, and based on our investigative hearings, I introduced legislation called the Stop Unfair Practices in Credit Cards Act, S. 1395, to ban the outrageous credit card abuses that were documented in the hearings. I was pleased that Senators MCCASKILL, LEAHY, DURBIN, BINGAMAN, CANTWELL, WHITEHOUSE, KOHL, BROWN, STEVENS, and SANDERS, our Presiding Officer, joined as cosponsors.

This new bill, the Dodd-Levin bill introduced today, as Senator DODD mentioned, incorporates almost all the provisions of S. 1395, and it adds other important protections as well. It is the strongest credit card bill yet in Congress.

I would like to add to the record more detailing of the provisions of this bill, along with an overview of some of the most prevalent abuses that we uncovered and some of the stories that American consumers shared with us during the course of the inquiries carried out by my Permanent Subcommittee on Investigations.

With regard to excessive fees, the first case history we examined illustrates the fact that major credit card issuers today impose a host of fees on their cardholders, including late fees and over-the-limit fees that are not only substantial in themselves but can contribute to years of debt for families unable to immediately pay them.

Wesley Wannemacher of Lima, OH, testified at our March 2007 hearing. In 2001 and 2002, Mr. Wannemacher used a new credit card to pay for expenses mostly related to his wedding. He charged a total of about $3,200, which exceeded the card's credit limit by $200. He spent the next 6 years trying to pay off the debt, averaging payments of about $1,000 per year. As of February 2007, he had paid about $6,300 on his $3,200 debt, but his billing statement showed he still owed $4,400.

How is it possible that a man pays $6,300 on a $3,200 credit card debt, but still owes $4,400? Here is how. On top of the $3,200 debt, Mr. Wannemacher was charged by the credit card issuer about $4,900 in interest, $1,100 in late fees, and $1,500 in over-the-limit fees. He was hit 47 times with over-limit fees, even though he went over the limit only three times and exceeded the limit by only $200. Altogether, these fees and the interest charges added up to $7,500, which, on top of the original $3,200 credit card debt, produced total charges to him of $10,700.

In other words, the interest charges and fees more than tripled the original $3,200 credit card debt, despite payments by the cardholder averaging $1,000 per year. Unfair? Clearly, I think, but our investigation has shown that sky-high interest charges and fees are not uncommon in the credit card industry. While the Wannemacher account happened to be at Chase, penalty interest rates and fees are also employed by other major credit card issuers.

The week before the March hearing, Chase decided to forgive the remaining

debt on the Wannemacher account, and while that was great news for the Wannemacher family, that decision doesn't begin to resolve the problem of excessive credit card fees and sky-high interest rates that trap too many hard-working families in a downward spiral of debt.

These high fees are made worse by the industry-wide practice of including all fees in a consumer's outstanding balance so that they incur interest charges. It is one thing for a bank to charge interest on funds lent to a consumer; charging interest on penalty fees goes too far.

Another galling practice featured in our March hearing involves the fact that credit card debt that is paid on time routinely accrues interest charges, and credit card bills that are paid on time and in full are routinely inflated with what I call ''trailing interest.'' Every single credit card issuer contacted by the Subcommittee engaged in both of these unfair practices which squeeze additional interest charges from responsible cardholders.

Here is how it works. Suppose a consumer who usually pays his account in full, and owes no money on December 1, makes a lot of purchases in December, and gets a January 1 credit card bill for $5,020. That bill is due January 15. Suppose the consumer pays that bill on time, but pays $5,000 instead of the full amount owed. What do you think the consumer owes on the next bill?

If you thought the bill would be the $20 past due plus interest on the $20, you would be wrong. In fact, under industry practice today, the bill would likely be twice as much. That is because the consumer would have to pay interest, not just on the $20 that wasn't paid on time, but also on the $5,000 that was paid on time. In other words, the consumer would have to pay interest on the entire $5,020 from the first day of the new billing month, January 1, until the day the bill was paid on January 15, compounded daily. So much for a grace period. In addition, the consumer would have to pay the $20 past due, plus interest on the $20 from January 15 to January 31, again compounded daily. In this example, using an interest rate of 17.99 percent, which is the interest rate charged to Mr. Wannamacher, the $20 debt would, in one month, rack up $35 in interest charges and balloon into a debt of $55.21.

You might ask—hold on—why does the consumer have to pay any interest at all on the $5,000 that was paid on time? Why does anyone have to pay interest on the portion of a debt that was paid by the date specified in the bill—in other words, on time? The answer is, because that is how the credit card industry has operated for years, and they have gotten away with it.

There is more. One might think that once the consumer gets gouged in February, paying $55.21 on a $20 debt, and pays that bill on time and in full, without making any new purchases, that would be the end of it. But you would be wrong again. It's not over.

Even though, on February 15, the consumer paid the February bill in full and on time—all $55.21—the next bill has an additional interest charge on it, for what we call ''trailing interest.'' In this case, the trailing interest is the interest that accumulated on the $55.21 from February 1 to 15, which is time period from the day when the bill was sent to the day when it was paid. The total is 38 cents. While some issuers will waive trailing interest if the next month's bill is less than $1, if a consumer makes a new purchase, a common industry practice is to fold the 38 cents into the end-of-month bill reflecting the new purchase.

Now 38 cents isn't much in the big scheme of things. That may be why many consumers don't notice these types of extra interest charges or try to fight them. Even if someone had questions about the amount of interest on a bill, most consumers would be hard pressed to understand how the amount was calculated, much less whether it was incorrect. But by nickel and diming tens of millions of consumer accounts, credit card issuers reap large profits.

I think it is indefensible to make consumers pay interest on debt which they pay on time. It is also just plain wrong to charge trailing interest when a bill is paid on time and in full.

My subcommittee's second hearing focused on another set of unfair credit card practices involving unfair interest rate increases. Cardholders who had years-long records of paying their credit card bills on time, staying below their credit limits, and paying at least the minimum amount due, were nevertheless socked with substantial interest rate increases. Some saw their credit card interest rates double or even triple. At the hearing, three consumers described this experience.

Janet Hard of Freeland, MI, had accrued over $8,000 in debt on her Discover card. Although she made payments on time and paid at least the minimum due for over 2 years, Discover increased her interest rate from 18 percent to 24 percent in 2006. At the same time, Discover applied the 24 percent rate retroactively to her existing credit card debt, increasing her minimum payments and increasing the amount that went to finance charges instead of the principal debt. The result was that, despite making steady payments totaling $2,400 in 12 months and keeping her purchases to less than $100 during that same year, Janet Hard's credit card debt went down by only $350. Sky-high interest charges, inexplicably increased and unfairly applied, ate up most of her payments.

Millard Glasshof of Milwaukee, WI, a retired senior citizen on a fixed income, incurred a debt of about $5,000 on his Chase credit card, closed the account, and faithfully paid down his debt with a regular monthly payment of $119 for years. In December 2006, Chase increased his interest rate from 15 percent to 17 percent, and in February 2007, hiked it again to 27 percent. Retroactive application of the 27 percent rate to Mr. Glasshof's existing debt meant that, out of his $119 payment, about $114 went to pay finance charges and only $5 went to reducing his principal debt. Despite his making payments totaling $1,300 over 12 months, Mr. Glasshof found that, due to high interest rates and excessive fees, his credit card debt did not go down at all. Later, after the Subcommittee asked about his account, Chase suddenly lowered the interest rate to 6 percent. That meant, over a one year period, Chase had applied four different interest rates to his closed credit card account: 15 percent, 17 percent, 27 percent, and 6 percent, which shows how arbitrary those rates are.

Then there is Bonnie Rushing of Naples, FL. For years, she had paid her Bank of America credit card on time, providing at least the minimum amount specified on her bills. Despite her record of on-time payments, in 2007, Bank of America nearly tripled her interest rate from 8 to 23 percent. The bank said that it took this sudden action because Ms. Rushing's FICO credit score had dropped. When we looked into why it had dropped, it was apparently because she had opened Macy's and J.Jill credit cards to get discounts on purchases. Despite paying both bills on time, the automated FICO system had lowered her credit rating, and Bank of America had followed suit by raising her interest rate by a factor of three. Ms. Rushing closed her account and complained to the Florida attorney general, my subcommittee, and her card sponsor, the American Automobile Association. Bank of America eventually restored the 8 percent rate on her closed account.

In addition to these three consumers who testified at the hearing, the subcommittee presented case histories for five other consumers who experienced substantial interest rate increases despite complying with their credit card agreements.

I would also like to note that, in each of these cases, the credit card issuer told our subcommittee that the cardholder had been given a chance to opt out of the increased interest rate by closing their account and paying off their debt at the prior rate. But each of these cardholders denied receiving an opt-out notice, and when several tried to close their account and pay their debt at the prior rate, they were told they had missed the opt-out deadline and had no choice but to pay the higher rate. Our subcommittee examined copies of the opt-out notices and found that some were filled with legal jargon, were hard to understand, and contained procedures that were hard to follow. When we asked the major credit card issuers what percentage of persons offered an opt-out actually took it, they told the Subcommittee that 90 percent did not opt out of the higher interest

rate—a percentage that is contrary to all logic and strong evidence that current opt-out procedures do not work.

The case histories presented at our hearings illustrate only a small portion of the abusive credit card practices going on today. Since early 2007, the subcommittee has received letters and e-mails from thousands of credit card cardholders describing unfair credit card practices and asking for help to stop them, more complaints than I have received in any investigation I have conducted in more than 25 years in Congress. The complaints stretch across all income levels, all ages, and all areas of the country.

The bottom line is that these abuses have gone on for too long. In fact, these practices have been around for so many years that they have, in many cases, become the industry norm, and our investigation has shown that many of the practices are too entrenched, too profitable, and too immune to consumer pressure for the companies to change them on their own.

Mr. President, in summary, this is what our bill contains:

No interest on debt paid on time.

The bill prohibits interest charges on any portion of credit card debt which the credit card holder paid on time during the grace period.

The bill prohibits credit card issuers from increasing interest rates on cardholders who are in good standing for reasons unrelated to the cardholder's behavior with respect to that card.

The bill requires increased interest rates to apply only to future debt and not to debt incurred prior to the increase.

The bill prohibits the charging of interest on credit card transaction fees, such as late fees and over-the-limit fees.

The bill prohibits the charging of repeated over-the-limit fees for a single instance of exceeding a credit card limit.

The bill requires payments to be applied first to the credit card balance with the highest rate of interest and to minimize finance charges.

The bill requires the credit card issuers must offer consumers the option of operating under a fixed credit card limit that cannot be exceeded.

The bill prohibits charging a fee to allow a credit card holder to make a payment on credit card debt, whether that payment is by mail, telephone, electronic transfer, or otherwise. Believe it or not, many credit card companies actually charge you a fee to make your payment.

The bill contains some of the following provisions as well:

It requires issuers to lower penalty rates that have been imposed on a cardholder after 6 months if the cardholder commits no further violations.

The bill gives each Federal banking agency the authority to prescribe regulations governing unfair or deceptive practices by banks and savings and loan institutions.

The bill requires issuers to provide individual consumer account information and disclose the total period of time and interest it will take to pay off the credit card balance if only minimum monthly payments are made.

And, as the Senator from Connecticut said, the bill contains a number of protections for young consumers from credit card solicitations.

Again, I commend Senator DODD for taking the leadership on this issue. As chairman of the Senate Banking Committee, his leadership will make a huge difference. It gives us a real chance of passing reform legislation relative to credit card abuses this session of the Congress.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public an addition to a previously announced hearing before the Committee on Energy and Natural Resources, Subcommittee on Public Lands and Forests. The hearing will be held on Wednesday, July 16, 2008, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

In addition to the other measures previously announced, the Subcommittee will also consider H.R. 2632, to establish the Sabinoso Wilderness Area in San Miguel County, New Mexico, and for other purposes; and S. 2448, to amend the Surface Mining Control and Reclamation Act of 1977 to make certain technical corrections.

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 should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by email to rachel_pasternack@energy.senate.gov.

For further information, please contact David Brooks at (202) 224–9863 or Rachel Pasternack at (202) 224–0883.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, July 10, 2008, at 10 a.m., in room 215 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, July 10, 2008, at 2:30 p.m.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Thursday, July 10, 2008, at 9:30 a.m. to conduct a hearing entitled ''The Roots of Violent Islamist Extremism and Efforts to Counter It.''

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

COMMITTEE ON THE JUDICIARY

Mr. REID. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet during the session of the Senate, to conduct a hearing entitled ''Passport Files: Privacy Protection Needed For All Americans'' on Thursday, July 10, 2008, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. REID. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 10, 2008, at 2:30 p.m. to hold a closed hearing.

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

SUBCOMMITTEE ON CLEAN AIR AND NUCLEAR SAFETY

Mr. REID. Mr. President, I ask unanimous consent that the Subcommittee on Clean Air and Nuclear Safety be authorized to meet during the session of the Senate on Thursday, July 10, 2008 at 10 a.m. in room 406 of the Dirksen Senate Office Building to hold a hearing entitled ''Environmental Protection Agency Oversight: Implementing the Renewable Fuel Standard.''

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

PRIVILEGES OF THE FLOOR

Mr. GRASSLEY. Madam President, I ask unanimous consent that Lynda Simmons of my Finance Committee staff have privileges of the floor for the duration of the 110th Congress.

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

Mr. MENENDEZ. Mr. President, I ask unanimous consent that Fern Goodhart, a fellow in my office, be granted floor privileges for the duration of today's session.

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

ORDERS FOR FRIDAY, JULY 11, 2008

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 3:30 p.m. tomorrow, Friday, July 11; 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 House message to accompany H.R. 3221, the housing reform legislation, and the postcloture time count during any adjournment or recess of the Senate.

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

PROGRAM

Mr. DURBIN. Mr. President, Senators should be prepared for two rollcall votes to begin at approximately 5:20 p.m. tomorrow, Friday, on the motion to disagree with respect to the housing legislation, to be followed by a vote on the motion to invoke cloture on the motion to proceed to S. 2731, the global AIDS legislation.

ADJOURNMENT UNTIL 3:30 P.M. TOMORROW

Mr. DURBIN. Mr. President, 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 11:35 p.m., adjourned until Friday, July 11, 2008, at 3:30 p.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

ROBERT HASTINGS, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE DORRANCE SMITH.

BROADCASTING BOARD OF GOVERNORS

CLIFFORD D. MAY, OF MARYLAND, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2009, VICE MARK MCKINNON.

NATIONAL COUNCIL ON THE HUMANITIES

JOYCE LEE MALCOLM, OF VIRGINIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2014, VICE MARGUERITE SULLIVAN, TERM EXPIRED.

ROBERT L. PAQUETTE, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2014, VICE ELIZABETH FOX-GENOVESE, TERM EXPIRED.

POSTAL REGULATORY COMMISSION

RUTH Y. GOLDWAY, OF CALIFORNIA, TO BE A COMMISSIONER OF THE POSTAL REGULATORY COMMISSION FOR THE TERM EXPIRING NOVEMBER 22, 2014. (REAPPOINTMENT)

THE JUDICIARY

CHRISTINE M. ARGUELLO, OF COLORADO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLORADO, VICE WALKER D. MILLER, RETIRED.

PHILIP A. BRIMMER, OF COLORADO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLORADO, VICE LEWIS T. BABCOCK, RETIRED.

GREGORY E. GOLDBERG, OF COLORADO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLORADO, VICE PHILLIP S. FIGA, DECEASED.

WILLIAM FREDERIC JUNG, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA, VICE SUSAN C. BUCKLEW, RETIRING.

MARY STENSON SCRIVEN, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA, VICE PATRICIA C. FAWSETT, RETIRING.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF STAFF, UNITED STATES AIR FORCE, AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 8033 AND 601:

To be general

GEN. NORTON A. SCHWARTZ

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. DUNCAN J. MCNABB

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. WILLIAM L. SHELTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JEFFREY A. REMINGTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 8037:

To be lieutenant general

MAJ. GEN. JACK L. RIVES

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. MARTIN E. DEMPSEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. CARTER F. HAM

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. RICHARD P. ZAHNER

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE UNDER TITLE 10, U.S.C., SECTION 5148:

To be vice admiral

REAR ADM. BRUCE E. MACDONALD

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER SECTION 271, TITLE 14, U.S. CODE:

To be rear admiral

REAR ADM. (LH) CHRISTOPHER C. COLVIN
REAR ADM. (LH) DAVID T. GLENN
REAR ADM. (LH) MARY E. LANDRY
REAR ADM. (LH) RONALD J. RABAGO
REAR ADM. (LH) PAUL F. ZUKUNFT

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS A PERMANENT COMMISSIONED REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 211:

To be lieutenant

STEPHEN E. WEST

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS A PERMANENT COMMISSIONED REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 211:

To be lieutenant

ELISA M. GARRITY

CONFIRMATIONS

Executive nominations confirmed by the Senate July 10, 2008:

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. DAVID H. PETRAEUS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. RAYMOND T. ODIERNO

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on July 10, 2008 withdrawing from further Senate consideration the following nomination:

MARK MCKINNON, OF TEXAS, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2009, VICE FAYZA VERONIQUE BOULAD RODMAN, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE, WHICH WAS SENT TO THE SENATE ON JANUARY 9, 2007.

EXTENSIONS OF REMARKS

WELCOMING THE 39TH BIENNIAL CLERGY-LAITY CONGRESS OF THE GREEK ORTHODOX CHURCH OF AMERICA TO WASHINGTON, DC

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Ms. PELOSI. Madam Speaker, I would like to welcome more than 700 delegates and 1500 total participants to the 39th Biennial Clergy-Laity Congress of the Greek Orthodox Church of America to Washington, DC. The theme of the 39th Biennial Congress is Gather My People to My Home, which recognizes the value of each person and, as Archbishop Demetrios of America has written, acknowledges that many people are struggling and seeking a spiritual home where they can find peace and hope.

The Greek Orthodox community in San Francisco is an example of the beautiful diversity of my hometown. I am proud that several of my constituents, including Metropolitan Gerasimos of San Francisco and Fathers Stephen Kyriacou and Aris Metrakos and lay leaders from the Holy Trinity Church and Annunciation Cathedral of San Francisco, will be in Washington for the Congress this week. I would also like to congratulate my friend Andy Manatos who will serve as the Chairman of Clergy Laity Congress during this conference.

The House of Representatives is blessed to have had many Greek Orthodox members of Congress over the years. Today, the community is well-represented by leaders such as JOHN SARBANES of Maryland, ZACK SPACE of Ohio, NIKI TSONGAS of Massachusetts and GUS BILIRAKIS of Florida.

Members of Congress have expressed strong support for the Greek Orthodox community through the years including awarding the Congressional Gold Medal, the highest civilian award bestowed by the Congress, to Ecumenical Patriarch Bartholomew in recognition of his outstanding and enduring contributions toward religious understanding and peace.

The religious freedom of the Ecumenical Patriarchate and the Greek Orthodox community continues to be a top priority for Members of Congress. A bipartisan group of members on the House Foreign Affairs Committee recently sent a letter to the Prime Minister of Turkey urging him to do everything possible to preserve the Ecumenical Patriarchate and to end restrictions and practices which threaten the viability of this nearly 2,000-year old spiritual beacon. The millions of Orthodox Christians in America and around the world can be assured that Congress will continue to advocate for their right to worship and practice their faith without undue government interference.

As Greek Orthodox clergy, parishioners, and hierarchs visit our nation's capitol this week, I thank them for their leadership and wish them a successful conference.

ENCOURAGE INITIATIVE AND SELF-ESTEEM

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. FILNER. Madam Speaker, I rise today to urge support for a bill I have just introduced, H.R. 6457, the "Encourage Initiative and Promote Self-Esteem Act".

There are many people in our country who receive Social Security Disability benefits (SSD) because they have a "waxing and waning" disease—Behcet's Disease, Multiple Sclerosis, Lupus, Parkinson's, Cancer, AIDS and Arthritis are examples of "waxing and waning" diseases.

This process of seeking SSD and keeping it is often times an adversarial one. The climate of suspicion that applicants and recipients say they feel leaves many to view the Social Security Administration (SSA) with a jaundice eye. Everyone who actually gains disability benefits remembers the hoops of fire they had to jump through during the application process. As a result, many people often do not consider a try at working, fearing that the SSA will use that against them to deny future benefits. With concerns over fraudulent claims, I can understand how this environment came to be. But that doesn't make it right.

For people with "waxing and waning" diseases and conditions, they know that they will have good days and bad. They know that, barring a cure, they will always be sick, but that does not diminish their spirit. There needs to be a program that encourages people in this situation to secure temporary employment when they feel they can work without placing their SSD at risk for the times they cannot work.

H.R. 6457 would install a system based on a sliding scale. The more money one earns, the fewer benefits he or she receives. But there will be a built-in incentive to stay the course because the total monthly income when working will be more than either the work income or SSD.

Imagine a situation where those on SSD who have diseases that "wax and wane" could work, without fear, when able. That would be a lot of money put back into the Treasury in payroll withholdings and taxes—and more money put into the economy in increased purchasing, not to mention the contribution to society and elevated self-esteem of the workers. Think about the faith these people would have in a system of government that treats its people with dignity and respect instead of suspicion and contempt.

I urge my colleagues to support H.R. 6457 to improve the lives of thousands of Americans.

IN HONOR OF MR. WILLIAM T. MUNS

HON. JASON ALTMIRE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. ALTMIRE. Madam Speaker, I rise today to pay tribute to Mr. William T. Muns, a native son of Beaver County, Pennsylvania who is an outstanding champion for veterans.

From 1965 thru 1968, Bill proudly served his country as a member of the United States Army. This service included a one year tour in Vietnam, serving as a Financial Liaison Specialist with the 709th Maintenance Battalion in the Mekong Delta Area. Upon his return stateside, he completed his enlistment with the 82nd Airborne Division, Ft. Bragg, North Carolina.

In September 2001, Bill accepted his current position as Beaver County Director of Veterans Affairs. Since taking this position, Bill and his staff have increased the federal benefits for county veterans from $14 million to $42 million. This exceptional service has been recognized by the Pennsylvania State Adjutant General.

As a charter life member of Vietnam Veterans of America Chapter 862, Bill has served as treasurer and was recognized as Vietnam Veteran of the Year for 2002. In addition to this prestigious award, Bill has also received a number of honors from the community, including being named Beaver County Jaycees Man of the Year 2003, the State Veterans Service Officer Award for 2005–2006, and the Vietnam Veterans of America Chapter 862 Distinguished Service Award for 2001.

Bill is also a husband, father, and grandfather. He is married to Virginia Martin Muns and together they have three children—Laura Evangelista, Ted Muns, and Jenn Basinger. Bill and Ginger also have five grandchildren—Rebecca, Gabriella and Adam Evangelista, and Mason and Ethan Muns.

Bill and Ginger will be missed and treasured by the Beaver County veterans' community for years to come. I want to commend them for their long and distinguished commitment to helping America's heroes. I wish them a wonderful retirement in their new home of Sarasota County, Florida and thank them for the tremendous service that they have provided to our community.

CONGRATULATIONS TO BASF FREEPORT ON THEIR 50TH ANNIVERSARY

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. PAUL. Madam Speaker, 2008 marks the 50th anniversary of the opening of the BASF Corporation's Freeport, Texas facility. Freeport

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

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

is located in Brazoria County in my congressional district. I am pleased to take this opportunity to congratulate the management and employees of BASF Freeport on 50 great years, and thank the people of BASF Freeport for their contributions to Freeport's economy.

The story of the BASF Freeport began when the owners of BASF Overzee N.V., a subsidiary of Badische Anilin-& Soda Fabrik A. G. (BASF), Ludwigshafen, Germany, and the Dow Chemical Company, Midland, Michigan, agreed to form Dow Badische Chemical Company. Dow Badische was endowed with the chemical process technology of the European parent as well as the managerial and marketing knowledge of their U.S. parent.

The new company chose a site adjacent to Dow Chemical's Texas Division of Freeport, Texas for its initial production. In December of 1959 the plant began producing Acrylic Acid and Acrylic Esters. In 1960 and 1961 the plants added production units for butanol and caprolactam.

Through the years, the BASF facility experienced tremendous increases in its capacity as well as in the number of production plants and employees that comprise the BASF Freeport workforce. For example, in 1967 BASF built a continuous butyl acrylate plant, while a new caprolactam complex was completed in 1968; and a new oxo alcohol facility was completed in 1970, adding 2-Ethylhexanol to the product line.

BASF acquired 100 percent ownership of Dow Badische in 1978. Soon after the change in ownership took place, two new chemical plants were constructed in Freeport, one an acrylic acid facility and the other a neopentyl glycol facility. Further significant expansions have included two acrylic monomers plants, an expansion to the polycaprolactam unit and most recently a new superabsorbent polymer plant.

In addition to its contributions to Brazoria County's economy, BASF has improved the life of the residents of Brazoria County through its steadfast support of numerous civic organizations. BASF has also earned the trust of its neighbors by making every effort to observe basic principles of safety and environmental performance in all its operations.

BASF Freeport's success is due to the commitment, hard work and innovative ability of its employees. I am certain that these same attributes will ensure a continued healthy growth for the company, which will, in turn, continue to benefit all of Brazoria County. It is therefore my pleasure to congratulate BASF Freeport on their 50th anniversary.

RECOGNIZING JOHN AND BONNIE ENSTROM FOR CREATING VETERANS LAKE PARK IN HONOR OF AMERICA'S VETERANS

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mrs. BACHMANN. Madam Speaker, I rise to honor two of my constituents, true community servants, Mr. John and Bonnie Enstrom.

The Enstrom's built the Veterans Lake Park in Ramsey, Minnesota to honor our fallen heroes. The park hosts the only monument in State dedicated to all Minnesotans who lost their lives as a result of the global War on Terror. The monument also contains a list of veterans who died in the Iraq war to protect our Nation's freedom.

Over $1 million has been personally invested by the Enstrom's to ensure that the park is well-kept and beautiful. Veterans visit the park and enjoy its quiet, relaxing environment. It has been seen as a safe haven to help the Vets mentally and emotionally recover.

Our Nation's heroes sacrificed their comforts and safety so that Americans can enjoy their continued freedoms. For their great efforts, veterans deserve much from the American people. Its efforts like those of the Enstrom's that truly show our appreciation for these heroes.

Madam Speaker, it is my honor to recognize and congratulate Mr. and Mrs. John Enstrom for their exemplary service to our Nation's heroes. The time and work that they both have sacrificed to serve the military men and women of our great State of Minnesota will not be forgotten.

PERSONAL EXPLANATION

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mrs. MCMORRIS RODGERS. Madam Speaker, on July 8, 2008, I was avoidably detained and missed three votes: H.R. 3981, H.R. 1423, and H.R. 4199.

Had I been present I would have voted ''yes'' on H.R. 3981, ''yes'' on H.R. 1423 and ''yes'' on H.R. 4199. (vote Nos. 471, 472, 473)

HONORING COLONEL PAUL J. KENNEDY OF THE UNITED STATES MARINE CORPS

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. PRICE of North Carolina. Madam Speaker, I rise to honor COL Paul J. Kennedy of the United States Marine Corps. Colonel Kennedy is finishing his tenure as the Marine Corps liaison to the House of Representatives, and will soon head to my home State to take command of the Second Marine Regiment, Second Marine Division at Camp Lejeune, North Carolina.

During the last 2 years, Colonel Kennedy has led the small contingent of Marines that serve as the direct interface between the Marine Corps and the members and staff of the House. Under his leadership, Colonel Kennedy and his colleagues have established strong professional relationships throughout this body, building trust, confidence, and mutual commitment between the Marine Corps and congressional leaders. His integrity, knowledge, and personal attention to the needs and interests of members have garnered great respect and appreciation throughout this Chamber.

I have particularly benefited from Colonel Kennedy's leadership as he has become an integral part of the efforts of the House Democracy Assistance Commission (HDAC), which I lead along with Representative DAVID DREIER. During the last 2 years, our Commission has traveled to numerous far-flung destinations in the service of our mission to strengthen the capabilities of legislatures in developing democracies. Not only has Colonel Kennedy organized and escorted every single HDAC delegation, he has jumped at the chance to do so, foregoing travel to more luxurious destinations in favor of our trips to developing nations like Liberia, Afghanistan, and Haiti. He has strongly supported the mission of our Commission, and has moved mountains to ensure that we can carry out our work, no matter what complications arise.

As I have gotten to know Colonel Kennedy, I have been tremendously impressed, not just by his professionalism and integrity, but also by his commitment to the United States Marine Corps. He treats the men and women under his direction in the Marine Liaison office with great respect and has taken particularly seriously his duty to mentor young Marines of lower rank. As he leaves to take command of a 5,000-Marine unit, his attention to the development of younger Marines will no doubt be greatly valued.

Colonel Kennedy has also been able to share with members of Congress detailed and valuable insights into the war in Iraq. Having served as a Battalion Commander in Anbar Province in Iraq during Operation Iraqi Freedom II, Colonel Kennedy gained first hand experience in helping our nation confront the new and complex challenges that war has highlighted.

While Colonel Kennedy will be sorely missed by this institution, we can take comfort in the knowledge that a man of such tremendous personal character and ability will continue to serve and strengthen the United States Marine Corps and the 5,000 Marines under his command at Camp Lejeune. Let me offer my heartfelt appreciation and best wishes to Colonel Kennedy as he embarks on this new assignment.

IN SUPPORT OF THE SAN FRANCISCO BAY NATIONAL WILDLIFE REFUGE COMPLEX

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. STARK. Madam Speaker, I rise today with my colleagues GEORGE MILLER (CA–7) and SAM FARR (CA–17) to introduce the San Francisco Bay National Wildlife Refuge Complex Establishment Act. As its title indicates, this bill would unite the Bay Area's seven separate national wildlife refuges into a single wildlife complex in order to leverage greater federal funding for these unique habitats.

The Antioch Dunes, Don Edwards San Francisco Bay, Ellicott Slough, Farallon, Marin Islands, Salinas River, and San Pablo Bay National Wildlife Refuges together constitute our nation's largest collection of urban wildlife refuges, totaling more than 46,000 acres. Together, they are home to hundreds of wildlife species—including over 128 threatened or endangered animals and marine mammals that depend on these refuges to survive. Because they support endangered wildlife in close proximity to millions of people, these refuges face unique and growing challenges.

Unfortunately, federal resources have not kept pace with the massive increase in refuge size and management demands. That shortfall puts the refuges at risk. For example, the Don Edwards San Francisco Bay National Wildlife Refuge was identified by Defenders of Wildlife as one of the nation's ten most threatened wildlife refuges in 2004. Its wetlands have been drastically altered by urbanization and many areas have been filled to create more land. As a result, the San Francisco Bay is now one-third smaller than its original size.

In addition to rare flora and fauna, these refuges offer other benefits. In hosting more than 1.5 million visitors every year, they serve as powerful economic engines for northern California. Their urban setting provides opportunities to educate surrounding communities about the need for environmental preservation. Restored wetlands also provide cost-effective shoreline protection and counter sea-level rise caused by global warming. In fact, the United Nation's Intergovernmental Panel on Climate Change has determined that restoring wetlands and protecting those that remain represents an immediate opportunity for enhancing carbon absorption—a key to combating global warming.

The San Francisco Bay National Wildlife Refuge Complex Establishment Act is very simple. It authorizes such sums as may be necessary for the development, recovery, and acquisition of refuge lands and the restoration of fish and wildlife habitat. This bill is endorsed by Save the Bay, an environmental organization that has been fundamental in protecting and restoring the wildlife oases in the Bay Area's urban environment.

I urge Members to join us to protect this crucial part of our environment. By enacting this bill, we are taking an important step toward saving rare California wildlife from extinction, fighting global warming, and preserving a beautiful part of our country that can be enjoyed by future generations.

HONORING U.S. COAST GUARD CAPTAIN ROBERT W. DURFEY, JR.

HON. WILLIAM D. DELAHUNT

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. DELAHUNT. Madam Speaker, I rise today so that my colleagues in the House of Representatives can join me in honoring the notable career of a distinguished member of the United States Coast Guard, and a constituent, Captain Robert W. Durfey, Jr.

Captain Durfey has led an exemplary career, having served in the United States Coast Guard for over 30 years. He has amassed a vast institutional knowledge after decades of experience in a wide variety of operational, command, and staff assignments. In addition, his dedication to his fellow man and community is deep and ingrained, as evidenced by his volunteer work rebuilding housing for victims of Hurricane Katrina in 2005.

Captain Durfey graduated from the U.S. Coast Guard Academy in 1978 with a Bachelor of Science in History/Government. In 1994, he earned his Masters in Public Administration from the J.F.K. School of Government at Harvard University. He has served at six Air Stations and five Groups along the west, gulf and east coasts as well as Puerto Rico. He has logged over 4800 helicopter flight hours and has flown more than 400 Search and Rescue missions.

He served as a Deck Watch Officer on a Buoy Tender in Alaska before going to Naval flight training to become a helicopter pilot, where he became Coast Guard Aviator #2113. Just prior to his Boston assignment, Captain Durfey commanded the Coast Guard's largest Group-Air Station combination, in Atlantic City, New Jersey. His helicopter and boat crews prosecuted over 1,800 search and rescue cases annually. He also commanded Group-Air Station Humboldt Bay, in northern California, between 1998 and the summer of 2000.

He was promoted to the rank of Captain during a year of strategic studies at the Air War College (2000–2001), which included training on terrorism, intelligence and overseas travel to Israel and Syria. He has had two major commands and most recently served as the Chief of Governmental Affairs and Public Affairs for the Admiral of First Coast Guard District, which oversees the northeast portion of the United States. The area of responsibility includes eight States from Maine to New Jersey.

As the United States Representative for the Tenth District of Massachusetts for the last twelve years, I have had the opportunity to work with and get to know Robert Durfey both as a professional and as a man. He has lived his life with a concern for others and the safety of our country. Robert Durfey is a gifted individual whose interpersonal skills are unsurpassed and who commands the respect of his subordinates and peers. As he retires from the United States Coast Guard, I want to add my best wishes to the chorus of accolades he has already received. I salute him and may God bless him in all his future endeavors.

HONORING THE BOAT LIVERY OF BLUE MOUNTAIN LAKE, NEW YORK, ON THE OCCASION OF ITS 100TH ANNIVERSARY

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mrs. MALONEY of New York. Madam Speaker, I rise to pay tribute to the Boat Livery of Blue Mountain Lake, which next month will celebrate its 100th birthday. Throughout the past century, the Boat Livery of Blue Mountain Lake has continuously provided services in boating, canoeing, kayaking, fishing and other recreational activities to residents and visitors alike in the glorious Adirondacks region of New York State. I would like to join with my distinguished colleague from the New York State delegation, the Honorable JOHN MCHUGH, who represents Blue Mountain Lake in Congress, in saluting the Boat Livery of Blue Mountain Lake on the occasion of its centennial anniversary.

Blue Mountain Lake lies in the heart of New York's Adirondack Park. Inspired by the Reverend William Henry Harrison Murray's best-selling 1869 edition of ''Adventures in the Wilderness'' or ''Camp Life in the Adirondacks'', vacationers started to visit Blue Mountain Lake after the conclusion of the Civil War, and it became a tourist ''hot spot.'' As visitors arrived in droves, an entire industry developed in response, spawning stately inns and travel guides who offered boat tours and facilitated participation in outdoor activities such as hunting, fishing, boating, hiking and camping.

The Boat Livery of Blue Mountain Lake was founded on August 2, 1908 during the heyday of the great camps established by prominent Americans such as Andrew Carnegie, J.P. Morgan, Dr. Thomas Durant, Coulis Huntington, Alfred Vanderbilt and the Hochschild family, many of whom resided in what is now the 14th Congressional district of New York. Since then, the Boat Livery has made available a wide array of rental pleasure craft to visitors to this uniquely beautiful part of our great Nation. It also has offered scenic boat cruises on original wooden launches.

Blue Mountain rises to a majestic height of 3,759 feet, offering stunning views of the shimmering Blue Mountain Lake dotted with islands. With a year-round population of fewer than 200 people, the tiny town surrounding the mountain remains picturesque, preserving its rustic charm despite the presence of thousands of visitors who pass through each season. Blue Mountain Lake is one of the cleanest, clearest lakes in the 48 contiguous states. It continues to draw thousands of city dwellers who are seeking refuge from their muggy, urban homes.

In 1933, Richard Collins and his wife Hectorine purchased the Boat Livery of Blue Mountain Lake and operated it until 1955. In 1955, Russ and Edna Barrowman purchased it and managed it until 1977 when it was bought by Robert and Judi Booth. Robert, Judi, Quin and Parker Booth currently operate the Livery's rowboats, canoes, steamboats, conduct tours and make available to tourists small and large pontoon boats, kayaks, canoes, paddleboats, windsurfers, day-sailers, sunfish, water skis, tubes, wakeboards, and many other vessels. In addition, they organize the special scenic trips in historic antique tour boats: the Towahloondah, dated 1920; the Osprey, dated 1916; and the Neenykin, dated 1916. These authentic vessels are inspected yearly by the New York State Office of Parks, Recreation, and Historic Preservation, and remain an integral part of the rich diversity of recreational activities at Blue Mountain Lake. On 2-hour tours across Blue Mountain on the old wooden launches, Eagle and Utowana Lakes, guides regale visitors with stories of the 19th century's great camps, recounting the history of the area's lumberjacks and celebrated fishing and hunting guides. Their stories feature the camps, hotels, steamboats, workers and players of the era.

Madam Speaker, I rise to request that my distinguished colleagues join me in paying tribute to the tremendous contributions to the preservation and enjoyment of the Adirondacks region made by the Boat Livery of Blue Mountain Lake on the occasion of its centennial anniversary.

CONGRATULATIONS LONE STAR COLLEGE SYSTEM

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. POE. Madam Speaker, congratulations to the Lone Star College System on its successful name change last year, and on surpassing the 50,000 student mark. Today, the Lone Star College System is the largest community college system in the Houston area and the second largest in the state of Texas. One in five high school graduates from area-wide school districts attend one of their branch campuses. Several of the system's campuses are in my district. The system also offers dual credit courses to over 5,000 high school students, giving students the opportunity to graduate high school with college credit.

Lone Star College System was established in 1972 when the voters of the Humble, Aldine, and Spring Independent School Districts voted to meet the need for a junior college to serve their communities. In the fall of 1973 the college was formed. Aldine High School hosted the first classes. In its first year the school enrolled 613 students led by 16 staff members.

Between 1981 and 2003, the college underwent a series of expansions and adopted the name of North Harris Montgomery Community College District. In November 2007, students and community members voted to rename the college Lone Star College System.

With graduates contributing in vital areas of our society upon graduation, this college has become a very valuable institution of education for my district and for Texas.

HONORING THE 275TH ANNIVERSARY OF WORCESTER TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. GERLACH. Madam Speaker, I rise today to honor a southeastern Pennsylvania municipality celebrating its 275th anniversary.

Worcester Township, Montgomery County, was established in 1733 by 22 landowners on roughly 10,000 acres originally part of the land grant given to William Penn by King Charles II of England.

English, Dutch, German and Welsh immigrants, many seeking religious freedom, settled the Township, which was a mostly wooded wilderness at its inception. Eventually, the Township was transformed into a farming community that came to be known as a breadbasket for nearby Norristown and Philadelphia.

Worcester also played a role in the founding of our nation. General George Washington's troops camped at the Peter Wentz Farmstead before and after the Battle of Germantown. And the cemetery across from Bethel Hill Church serves as the final resting place for patriots who gave their lives in the pursuit of liberty.

While the population has grown to nearly 8,000 residents today, the Township remains committed to preserving acres of scenic farmlands and open space.

Residents will mark the Township's 275th anniversary on Saturday, July 12, 2008 during a Community Day celebration in Heebner Park.

Madam Speaker, I ask that my colleagues join me today in congratulating the Worcester Township on its historic anniversary.

OP-ED SUPPORTING THE DEVELOPMENT AND GROWTH OF CARIBBEAN NATIONS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. RANGEL. Madam Speaker, I rise today to introduce an Opinion Editorial from the New York CaribNews that reflects support for the development of the Caribbean Community and Common Market (CARICOM) states. CaribNews is a New York based publication that serves as the voice of the Caribbean community.

The editorial which was published on Tuesday, July 8, 2008 is entitled; ''The Diaspora And The Rolling Heads of State''. The author of the Op-Ed, Dr. Basil Wilson, recognizes the achievements made by CARICOM nations to improve trade relations within the region and globally. ''In 2008, CARICOM is to make further strides in the development of a single market economy''.

Dr. Wilson also addresses the New York based Caribbean Diaspora as it relates to Caribbean economies. He explains; ''Billions of dollars (from the U.S.) are sent to the respective islands to help out family members, to expand existing homes, to start businesses, and to provide some of the basic necessities of life''.

This piece acknowledges the economic achievements made by Caribbean nations, therefore contributing to the region's legitimacy as a viable trading partner. At the same time, Dr. Wilson encourages entrepreneurial leadership in the Caribbean to further stimulate economic growth.

[From the CaribNews, July 8, 2008]

THE DIASPORA AND THE ROLLING HEADS OF STATE

(By Dr. Basil Wilson)

It was befitting to hold the meeting bringing together the Caribbean community in New York and the Caribbean heads of state at York College, City University of New York, where the President of that institution, Marcia Keizs and the Provost and Senior Vice President of Academic Affairs have roots in the Caribbean and a majority of the 6,000 student body are either first or second generation Caribbean.

As one of the Caribbean heads of state remarked, he had to travel to New York to address an audience of Caribbean people as the movement of Caribbean people within the region remains limited with the exception of the students in higher education moving among the Mona, Cave Hill and St. Augustine campuses of the University of the West Indies. The Friday evening meeting on June 20, 2008 was designed to facilitate an intellectual exchange between leaders and non-leaders about the Diaspora and the future of, CARICOM.

The Diaspora community already plays a critical role in the form of remittances. Billions of dollars are sent to the respective islands to help out family members, to expand existing homes, to start businesses, and to provide some of the basic necessities of life. In many islands remittances have been instrumental in reducing the percentage of people living in poverty.

The format of the exchange enabled designated heads of state to address the audience and to allow the audience to ask questions or to make comments. This kind of mass questioning tends to attract to the open microphones speakers who are long-winded and with wide ranging concerns that invariably brings a certain incoherence to the discourse.

The world economy has changed dramatically since the initiation of CARICOM. In 2008, CARICOM is to make further strides in the development of a single market economy. Even within the units of CARICOM, there are no economies of scale. There are opportunities for investment and for the pooling of resources. The economist, Dr. Norman Girvan, has produced a paper outlining the future for further economic expansion. Trinidad and Tobago has emerged as the economic giant in the region and is standing even taller as the price of oil soars towards one hundred and fifty dollars per barrel. T and T is overflowing with investment capital at the same time nonexporting oil countries in the region are reeling from the rapid rise in oil and food prices that are now the norm in the world economy.

CARICOM at the beginning of the year signed a trade agreement with the European Union that opens those economies to Caribbean products and European products to the Caribbean region. CARICOM and CARIFORUM can no longer look inwards. It must look outwards either as a region or as independent islands. There is the dire urgency to put together an export oriented strategy to compete in the global economy of the 21st century.

The crime calamity in the Caribbean basin is indeed an outgrowth of the economic crisis and even though some sorely needed initiatives will be able to strengthen the shaky social order, long term stability will depend on the strengthening of the export sector in relationship to the world economy.

The Caribbean entered the world economy as an exporter of sugar with African slave labor. By the beginning of the 19th century, sugar production in the old English colonies had peaked and was unable to match the yield per acre of the new sugar-cane fields in Cuba. In the post-emancipation years and post-colonial interlude, the economies of the Caribbean remained moribund, starved of British investment capital and survived through the British protectionist system reserved for primary producers of the colonial empire. That arrangement created a condition of chronic surplus labor and forced segments of the Caribbean labor force to seek their fortunes elsewhere such as in the banana fields of Central America, the sugar-cane fields of Cuba, the construction complex of the Panama Canal, and the industrialized factories in the United States at the advent of World War 1. In the post-second world war, thousands fled the region to work in the industrial and service enterprises of the United Kingdom.

In the post-colonial years in an age of global protectionism, most Caribbean countries opted for the developmental strategy of industrialization by invitation hiding behind the high walls of tariff barriers. That resulted in an economy with an export producing primary sector of sugar and banana and the new sector of light manufacturing serving the needs of the domestic market. The developmental strategy accelerated the movement from country to town where the

limited manufacturing sector lacked the capacity to absorb the burgeoning labor force. Salvation came through the export of skilled and unskilled labor to the United States, Canada and the United Kingdom.

The growth in the labor force has tapered off in the contemporary period and the unemployment rate in April 2006 was estimated at 134,000 or 10.7 percent of the labor force. Nonetheless, Jamaica has a precious stratum of own-account workers estimated at 376,000. In the goods producing sector, there are 200,000 people employed in agriculture, 105,000 in construction and a mere 80,000 in manufacturing. Traditional agriculture, particularly sugar-cane, there is an effort to adapt that industry through the conversion of sugar-cane into the fuel producing ethanol. The purchase of the sugar industry by Brazilian investors should make the sugar industry more viable and contribute to reducing Jamaica's dependency on fossil fuel and with sufficient capacity to export ethanol to the United States.

Jamaica's economy in the last decade has seen the expansion of the alumina industry and a massive increase in the tourist sector. Alumina and bauxite are highly capital intensive and only 7,000 workers are absorbed in the mining industry. The tourist industry is labor intensive but has failed to absorb all those looking for work as the burgeoning squatter settlements are rampant in the parishes where tourism is concentrated.

Jamica has made some headway in the export of manufacturing goods. That sector exports approximately 700m in 2006 and if Jamaica is going to absorb its surplus labor problem, there will have to be exponential growth in that sector of the economy, particularly in agro-products.

The Jamaica exporting sector is assisted by state policy. Members of the Jamaica Exporters Association are eligible for loans with reduced interest rates. But what is desperately needed is a strategic developmental plan that brings together venture capitalists from abroad and Jamaica's indigenous bourgeoisie aimed at creating large scale production of juices like guava, june plum, etc. aimed at flooding both the European and the United States market. Micro-enterprises cannot compete in a global market and Jamaica is in need of large scale production aimed at mega-markets to absorb Jamaica's surplus workers.

All the successful countries that have made the transition from fledgling developing countries, like Singapore, South Korea, Malaysia, Taiwan and China, have made it through adopting an export-oriented strategy.

What is required is the emergence of an entrepreneurial class with a clear understanding of the complexity of globalization that will partner with government to build that export capacity. In this age of globalization, CARICOM must look outwards and build the necessary bridges with the Caribbean Diaspora to ensure that the Caribbean is not trapped in the backwater of globalization.

HONORING THE ROCHESTER, ILLINOIS LADY ROCKETS SOCCER TEAM

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. SHIMKUS. Madam Speaker, today I rise to honor the Rochester Lady Rockets soccer team on their success in winning the championship game of the Illinois High School Association Class A State tournament.

Kelly Werthwien, Kelcie Kolis, Sarah Wright, Grace Capranica, Marissa Burge, Beth Fitzsimmons, Kellse Sandercock, Amy Shackelford, Jessica Heaton, Jillian Sulcer, Mollie Edgecomb, Kassie McIntyre, Taylor Heissinger, Kelcee Walsh, Amy Cassiday, Maryssa Bandy, Taylor McDermott, Alecia Mantei, Taryn Butler, Aubrey Heck, Caley Cook and Casey Turner, along with head coach Chad Kutscher, Assistant Coaches Scott Tucker, Andrew Ford and Kristi Coppernoll and Trainer Sara Powless, put together a 16–4–3 season and swept through the sectional tournament en route to their first State championship.

This is the third straight year in which the Lady Rockets reached the State tournament, and the first for Coach Kutscher.

I am very pleased to congratulate the Rochester Lady Rockets on their victory and wish them the best of luck for next season.

''CREATING A BRIGHTER TOMORROW''

HON. DONALD A. MANZULLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. MANZULLO. Madam Speaker, I would like to commend to the attention of this Congress the following speech by one of my constituents, 16-year-old Heidi Erbsen, of Stephenson County, Illinois. Heidi participated in an oratory contest hosted by the American Legion. Her speech won first place at the local, division and state levels, and she then moved on and completed as a quarter finalist at the national level of competition. As we face the difficult decisions of today, I hope Heidi's words will stir us to cling to our heritage as we seek to create a brighter tomorrow.

CREATING A BRIGHTER TOMORROW

(By Heidi Erbsen)

As many of you know, Abraham Lincoln is notorious for the Gettysburg Address, which states, ''Four score and seven years ago our fathers brought forth on this continent, a new nation, conceived in Liberty, and dedicated to the proposition that all men are created equal. Now we are engaged in a great civil war, testing whether that nation or any nation so conceived and so dedicated, can long endure. We are met on a great battlefield of that war. We have come to dedicate a portion of that field, as a final resting place for those who here gave their lives that that nation might live.'' When he spoke these words in 1863, it must have been hard for him to imagine our country's future. With all of the struggles facing our nation, how could he have ever known for sure that we would continue to prosper? The Civil War had split the nation, torn families apart, and claimed thousands of American lives, yet President Lincoln still believed in a brighter tomorrow for his country and his people. This mentality has carried our country through every single struggle it has faced. It is the belief that the people of our nation can give it a brighter tomorrow. And now, for over 200 years our country has prospered because of this belief, and it will continue to do so as long as we uphold this legacy.

When the monarchy in Europe began to mandate religion and other personal affairs in the 1600s, many people began to seek refuge from their oppression. The rule in Europe made it so hard for people to live without persecution that many sought to leave their homes in search of a New Life. Thousands of these people found their new life in what was then known as the New World. Since the pilgrims sailed to America, this country has been a monument of hope. This New Land represented a chance for men and women to start over new. It gave them a chance to create their own fortune and futures. It was a land not yet at the grip of a stifling ruler or government. Most of these colonists arrived here with nothing in their pockets, and a dream in their hearts. It was the dream of freedom and prosperity, and it would not by any means come easy. The first men and women to colonize America suffered more than any of us can imagine. They endured brutal wars, strife, famine, and much more, but they never gave up their dream, and slowly they began to see this dream come alive. When the same ill leadership the pilgrims had escaped in the 1600s began to take hold of the New World in the 1700s the colonists finally fought back. After the Revolutionary War plagued them with years of death and despair, a new horizon dawned on America. The Declaration of Independence was signed and what was formerly known as The New World became The United States of America.

Becoming a free nation of our own may have seemed like the end of struggle for the people of America at the time, but it was really only the beginning. After being ruled by a single monarch for so long the people in our country had no idea how to govern themselves. When they were finally declared a free nation there was a long period of struggle for guidance and rule. Many feared that any form of government would tarnish the freedom they had struggled so hard to achieve. The very men who wrote our Constitution harvested the fear that they would become their own dictator. They knew that it was entirely up to them to see that the future of their country was a bright one, free from persecution and oppression in any form. That is why they did everything in their power to dispose of any form of ultimate rule. They knew they had only one chance to set the land of their dreams into motion. They wanted a balance between the power and the people. This way the people could have a say in what was just in everyday life rather than abiding by the rules of a leader focused only on what would make things easier for him or her. As a solution, they developed a three-part system, each containing officials elected either indirectly or directly by the people, each branch having one main duty: To see that one particular person or even section of the government never gained too much power. Not only did this three-part system give them the balance they were striving for, but our writers of our constitution hoped to ensure that every man, woman, and child living in America benefited from the natural freedoms to which we are all entitled. And to this day, it does just that.

As citizens of America today, we are still reaping the benefits of the sturdy foundation that was built up by our ancestors. The men and women who came together to put a stop to persecution did so not in vain. Look around. We are still living without it today. We have preserved their efforts, but in doing so some of us have lost sight of the sacrifices that have been made. Today many Americans take the freedoms we have for granted. I've lived in the United States all my life, and I'm sure many of you have. I understand completely how hard it is to walk out that front door every morning and not take what we have for granted. When you live in a country as free and prosperous as ours how

could you not? But if we don't continue to appreciate the sacrifices that have been made, neither will the generations following us. And the more we take what we have for granted, the more we lose those values the first colonists in the new world built our country upon. Now is our time to ensure that the foundation of our nation does not crumble. I know I said previously that the United States becoming a free nation was only the beginning, but if we as a nation continue to strive for freedom and justice for all, we do not have to be the end. Our country has succeeded all these years for one reason and one reason only, and that is the effort that has been put forth by citizens just like every one of us in this room. We have the power to ensure that our country's walls do not crumble, all we have to do is remember its roots, and continue to live by its foundation.

In times like these, when there are huge obstacles facing us we need to keep our faith in our country and its foundation. The first settlers in the New World never gave up on their hopes and dreams, despite the famine and hardships they faced. Abraham Lincoln never lost sight of the bigger picture, regardless of the alarming death tolls brought about by the Civil War. He knew that our founders had structured a government sturdy enough to withstand the hardships of war and strife. All he had to do was encourage the people of our nation to create a brighter tomorrow. In the United States there is always a brighter tomorrow awaiting us, all we have to do is build it.

SUPPORT FOR NASA

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. UDALL of Colorado. Madam Speaker, this year we celebrate many important anniversaries in our Nation's civil space and aeronautics programs. Earlier this year, I introduced H. Con. Res 287, which celebrated the 50th anniversary of the United States Explorer I satellite, the world's first scientific spacecraft, and which marked the birth of the United States space exploration program. Since the successful Explorer I launch, we have built the world's leading civil space and aeronautics enterprise. Our human expeditions into space, our robotic science probes exploring the Earth and beyond, and our aeronautical research and development initiatives continue to deliver inspiring results and provide benefits to society.

Today, I am pleased to be an original cosponsor of three resolutions that mark other key milestones in our civil space and aeronautics activities: H. Res. 1315, Commemorating the 50th Anniversary of the National Aeronautics and Space Administration; H. Res. 1313, Celebrating the 25th Anniversary of the First American Woman in Space; and H. Res. 1312, Commemorating the 25th Anniversary of the Space Foundation.

H. Res. 1315 commemorates the 50th Anniversary of the National Aeronautics and Space Administration (NASA), which was established on July 29, 1958, through the National Aeronautics and Space Act of 1958. NASA has achieved countless successes over the 50 years since its creation and H. Res. 1315 recalls many of the agency's accomplishments in human exploration, aeronautics, and space and Earth science. I strongly agree with the sentiment expressed in H. Res. 1315, ". . . in the last fifty years, NASA has positively impacted almost every facet of our lives." NASA's contributions to aviation, to increased understanding of our climate, to the advancement of our knowledge of the universe, and to the development of countless technologies that have made their way into broader societal applications have fundamentally changed our lives.

Madam Speaker, the applied uses of NASA research and developments have enabled weather and environmental monitoring, commercial satellite communications, and major improvements in commercial aviation. H. Res. 1315 marks NASA's successful launches of the first American manned spacecraft in 1961, the first human expedition to the Moon in 1969, and the first Space Shuttle in 1981. NASA's international cooperative ventures have allowed many of the world's nations to join together in advancing technology and knowledge through the peaceful uses of outer space. NASA's first 50 years have yielded truly remarkable discoveries and advances. I want to thank Mr. MCCAUL of Texas, who along with Mr. LAMPSON of Texas, introduced H. Res. 1315. H. Res. 1315 is an important opportunity to recognize NASA's half century of achievements and the men and women of NASA that have made them possible, and I am pleased to support it.

As a result of NASA's human exploration program, we also celebrate the 25th anniversary of the first American woman in space, Dr. Sally K. Ride. H. Res. 1313 commemorates that date in June of 1983 when Dr. Ride flew aboard the Space Shuttle *Challenger*, making history by becoming the first American woman in space. She went on to fly a second mission in 1984. When training for Dr. Ride's third mission ended as a result of the tragic *Challenger* accident, she continued her contributions to NASA and the Nation as an educator and advisor. H. Res. 1313 honors Dr. Ride's passion and dedication as a tireless advocate for young women and girls to pursue education and careers in science, mathematics, and technology. The opportunities she is creating for our youth, especially girls and young women, to acquire hands-on learning in science will go far in training the next generation of leaders in science and engineering. That is something I care passionately about, and I thank my colleague, Mr. LAMPSON of Texas for introducing H. Res. 1313.

In addition to the important role of our Federal government in the Nation's space and aeronautics programs, many non-governmental organizations provide outreach, education, and advocacy that enhance our space and aeronautics activities. That is why I strongly support H. Res. 1312, commemorating the 25th anniversary of the Space Foundation. The Space Foundation, which is headquartered in Colorado Springs in my home state of Colorado, is a non-profit organization dedicated to using space to benefit humanity and furthering space exploration, development, and education. Since 1983, the Space Foundation has helped to ensure the strength and leadership of our space programs, and I am pleased that we can acknowledge the Space Foundation's endeavors in this regard. I thank my colleague, Mr. LAMBORN of Colorado, for introducing this resolution recognizing the Space Foundation for its 25 years of excellence and service.

Madam Speaker, our nation's space and aeronautics programs are critical sources of innovation and inspiration for our Nation. The contributions of NASA, our astronauts, and our space advocacy organizations provide benefits for our society, help strengthen our economy, and help train the next generation of scientists and engineers. I urge my colleagues to join me in supporting H. Res. 1315 commemorating the 50th anniversary of NASA; H. Res. 1313 celebrating the 25th anniversary of the first American woman in space, Dr. Sally K. Ride; and H. Res. 1312 commemorating the 25th anniversary of the Space Foundation.

SPECIAL RECOGNITION OF M.W. FORD UPON HIS 90TH BIRTHDAY

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. POE. Madam Speaker, on the occasion of his 90th birthday, I proudly salute a true public servant and model citizen of Dayton, Texas, Milo Westel Ford Jr. I would like to recognize and honor M.W. Ford for his outstanding leadership and commitment to the people of Dayton.

A native born Texan and a life-long resident of Dayton, Texas, Mr. Ford graduated from Dayton High School and later Rice University. In 1945 he retired from the United States Air Force as a captain. He retired from Dayton State Bank after 50 years of service.

During the 90 years of his life, Mr. Ford has had a long career in public service. For three years, he served as the mayor of Dayton. For over 50 years Mr. Ford has been a Rotarian in Dayton. He has been recognized by numerous organizations. Some of these include: Citizen of the Year from the Liberty Dayton Chamber of Commerce and International Paul Harris Fellowship Award from Dayton Rotary. He served on the Dayton Community Development Corporation, Legend Bank Board, Dayton Masonic Lodge, Lon Morris College Board of Development, and the Dayton Historical Society. Mr. Ford's contribution to the fundraising efforts to help build the Jones Library in Dayton will not be forgotten. Both his hard work and love for Dayton, Texas has earned him enduring respect throughout the community.

On behalf of the Second Congressional District of Texas, it gives me great pleasure to congratulate M.W. Ford on his 90th birthday. I commend this remarkable Texan for his service, dedication, and contributions to the City of Dayton.

HONORING THE 100TH ANNIVERSARY OF THE READING PAGODA

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. GERLACH. Madam Speaker, I rise today to join the residents of Reading, Pennsylvania in celebrating the 100th Anniversary of the City's most recognizable landmark.

The Reading Pagoda has stood on roughly 10 acres on the southern tip of Mount Penn overlooking Reading since 1908. The seven-

story, red brick and tile building is usually the first thing that catches the eyes of visitors as they cross the Penn Street Bridge leading into downtown Reading. At night, the glow of the Pagoda's red lights transform the building into a beacon easily seen for miles.

Most visitors are curious about why a building associated with Japanese culture is in the middle of Pennsylvania Dutch Country. A postcard from the Philippines with a pagoda on it inspired William Abbott Witman Sr. to build one in Reading at a cost of $50,000. In 1911, the City of Reading purchased the Pagoda for $1 after plans to open a luxury resort in the building fell through.

Today, the Pagoda remains a proud symbol of Reading thanks to the dedication and countless hours of work by members of Pagoda Skyline Inc. This group of private citizens uses donations to maintain the building and grounds and organizes events, such as the planting of perennials each spring.

Pagoda Skyline will help the City mark the 100th Anniversary of the Pagoda on Saturday, July 12, 2008 during a car show atop Mount Penn.

Madam Speaker, I ask that my colleagues join me today in congratulating the City of Reading and Pagoda Skyline Inc. on the historic anniversary of the treasured Pagoda.

COMMENDING THE RESOLUTIONS ADOPTED AT THE 76TH ANNUAL MEETING OF THE U.S.

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. RANGEL. Madam Speaker, I rise today to commend the work of the U.S. Council of Mayors for the progress made at their 76th annual meeting in Miami, Florida.

I wish to express my full support for the three resolutions adopted by the council that call for immediate immigration reform. These resolutions: (1) Calling for Comprehensive Immigration Which Promotes the Reunification of Families, Provides Legal Status With a Path to Earned Citizenship, and a Plan for Current and Future Immigrant Workers, (2) U.S. Immigration and Customs Worksite Enforcement and (3) Increasing Customs and Border Protection Staffing and Improving Infrastructure at International Ports of Entry, all serve to address many of the challenges the U.S. immigrant community faces.

I would like to recognize and thank the U.S. Council of Mayors for their efforts in promoting immigration reform.

60TH ANNIVERSARY OF THE JEFFERSON FIRE PROTECTION DISTRICT IN SOUTHERN ILLINOIS

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. SHIMKUS. Madam Speaker, I rise today to mark the 60th anniversary of the Jefferson Fire Protection District in southern Illinois.

From a humble beginning, with a 5½ square mile district and a tanker that was a converted Army truck from World War II, to today's department with modern equipment covering 220 square miles, the Jefferson Fire Protection District has been keeping residents of Jefferson County, Illinois, safe for 60 years,

It is because of dedicated citizens, willing to put themselves into harm's way to help another in need, that our Nation is the great place that it is. Every time the department has responded to a house fire, an auto accident, a medical crisis or any of the myriad of other emergencies that they have been called upon to face, these brave public servants have reminded us of what it means to be a hero.

I want to congratulate the members of the Jefferson Fire Protection District, past and present, on reaching this milestone. I also want to thank them for the vital public service they render to local residents.

HONORING MR. DON C. HUBBARD

HON. WILLIAM J. JEFFERSON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. JEFFERSON. Madam Speaker, this weekend the Urban League of Greater New Orleans will honor Mr. Don C. Hubbard for a life committed to justice and self-help for African Americans. In honoring him, the Urban League printed the following biography of his life's work in its 2008 Annual Gala Program:

''Mr. Don C. Hubbard has dedicated his entire life to the fight for social justice. As a champion of equality, he has contributed greatly to the battle against discrimination in the public and political communities of New Orleans. From his work during the Civil Rights Movement to his commitment to provide students with an opportunity to attend college, Mr. Hubbard has selflessly crusaded to establish a voice for the voiceless in New Orleans.

Mr. Hubbard's career in public advocacy began with the Civil Rights Movement in the 1960s. As a member of the New Orleans Chapter of the Congress of Racial Equality (CORE), Mr. Hubbard contributed to numerous sit-ins and demonstrations throughout the South with acts of leadership and courage. In 1963, Mr. Hubbard helped organize the first march on New Orleans City Hall to deliver better jobs and greater access to public facilities. In the late 1960s, he participated in a demonstration at Southern University at Baton Rouge to protest segregated stores. As a result of the demonstration, the participants were sprayed with tear gas and water hoses.

As a community leader, Mr. Hubbard has established numerous organizations and foundations to enhance the quality of life throughout New Orleans. In the late 1960s, he established the Gentilly East Development Association (GEDA) to lobby the city for adequate city services, including garbage collection, underground drainage and street paving. In 1967, Mr. Hubbard organized the Southern Organization for Unified Leadership (SOUL) to grant support to African-Americans seeking public office. SOUL has remained at the forefront of the struggle to gain leadership roles for African-Americans and is also a vital organization in the political arena. As a member of the trustee board of the Greater St. Stephen Full Gospel Baptist Church, he launched the Paul S. Morton, Sr. Scholarship Fund. The foundation has provided five (5) $5,000 scholarships a year to help students in their college endeavors for the last 19 years.

Mr. Hubbard is not only a Civil Rights leader and community activist, but also an entrepreneur. In the 1970s, Mr. Hubbard established the largest 100 percent Black-owned and operated services company in America, Superdome Services, Inc. He has also served as president and a major stockholder of Louisiana Sports, Inc., while working as vice president of managing and promoting the former light/heavyweight champion of the world, Michael Spinks. Mr. Hubbard also spent time working for Spencer Promotions managing former heavyweight champion Riddick Bowe. A former state employee in the Louisiana Department of Agriculture and Forestry, Mr. Hubbard currently owns and operates the Hubbard Mansion Bed and Breakfast on St. Charles Avenue in New Orleans.''

We, in the U. S. Congress and the people of our Nation are grateful for Mr. Hubbard's service to all of us and Join the Urban League of Greater New Orleans in honoring him for a life well lived in the service of others.

PERSONAL EXPLANATION

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. POE. Madam Speaker, due to other Congressional business, I unfortunately missed recorded votes on the House floor on Tuesday, July 8, 2008.

Had I been able to vote that day, I would have voted "yea" on rollcall vote Nos. 471, 472, and 473.

PROVIDING FOR CONSIDERATION OF H.R. 5811, ELECTRONIC MESSAGE PRESERVATION ACT

SPEECH OF

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 2008

Mrs. MALONEY of New York. Mr. Speaker, I rise today in strong support of H.R. 5811, the ''Electronic Message Preservation Act,'' introduced by my friend and colleague on the Oversight and Government Reform Committee, Chairman WAXMAN.

With the advent and proliferation of electronic communication, the time has come for us to improve the methods for preserving records. Gone are the days when correspondence was sent solely using paper. E-mail has become the primary method of communication, and it is imperative that we develop procedures to stay current with the evolving technologies.

The bill before us today would direct the Archivist to establish standards for the capture, management, and preservation of White House e-mails and other electronic messages and to certify that the system meets the requirements established by the Archivist. Additionally, H.R. 5811 directs the Archivist to issue regulations requiring agencies to preserve electronic messages that are records in an electronic format. These regulations must cover, at a minimum, the capture, management, preservation, and electronic retrieval of these electronic records.

I believe that this legislation will help future administrations avoid the issues that seemed to plague this White House with reports that officials were using RNC e-mail accounts to conduct official business and then deleting those e-mails from servers. H.R. 5811 will enhance the transparency of government while ensuring an accurate historical record.

REMEMBERING BOSNIAN GENOCIDE VICTIMS

HON. JOHN W. OLVER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. OLVER. Madam Speaker, as we commemorate the 13th anniversary of the Srebrenica genocide, perpetrated by nationalist Serb forces predominantly against Bosniaks, Bosnian Muslims, it is time to pay tribute to the tragic episodes not only in Srebrenica, but also in other less-known places in Bosnia and Herzegovina.

In the spring of 1992, a deliberate, centrally planned, and well-organized campaign of ethnic cleansing, mass murder, rape, torture, and intimidation terrorized the civilian population throughout Bosnia and Herzegovina and took the lives of 200,000 men, women, and children. Out of those, 8,000 perished in Srebrenica alone during a period of less than five days in July of 1995. In the end, 2 million Bosnians were displaced from their homes, and the country's rich cultural and religious heritage and monuments were deliberately destroyed. Shattered state institutions remain dysfunctional from the chaos and are struggling to cope with the significant loss of Bosnia's population. Today, survivors are battling post-traumatic stress disorder, orphans are still searching for their parents' remains, and new mass graves continue to be discovered. The entire western Balkans region has still not fully recovered from the violent break-up of Yugoslavia.

The human tragedy that befell Bosnia and its citizens in places less known such as Bihac, Zepa, Gorazde, and Visegrad needs to be revisited and marked in its proper place in the memory of human experience and history. If the international community had possessed the will to protect the UN-designated ''safe haven'' of Srebrenica, it would have prevented the tragic outcome and thousands of innocent lives would have been with us here today. The world had said ''never again'' to genocide, only to abandon the people of Bosnia to an unspeakable nightmare. Today, let us remind ourselves of the consequences: Srebrenica was the worst single atrocity in Europe after World War II. We cannot pretend that Bosnia's struggles are simply in the past, nor that the country has fully stabilized. The people of Bosnia are still trying to rebuild their country, to reform the institutions that were responsible for the genocide, and to move beyond ethno-territorial divisions into a functional democratic state.

As we mark July 11th, we must always remember the innocent people who lost their lives while the international community failed to act. We must acknowledge that justice will prevail only when General Ratko Mladic and Radovan Karadzic are apprehended, and we must never forget the horrors that befell the people of Bosnia and Herzegovina.

RETIREMENT OF JAMES M. LARIVIERE, REPUBLICAN STAFF DIRECTOR, COMMITTEE ON VETERANS' AFFAIRS, UNITED STATES HOUSE OF REPRESENTATIVES

HON. STEVE BUYER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. BUYER. Madam Speaker, I rise to honor and bid farewell to an exceptional leader, patriot, and friend, James M. Lariviere, as he retires from civilian Federal service. A Marine Corps Reserve colonel selected for promotion to brigadier general, he is returning to active duty to continue his distinguished military career.

Throughout his life Jim Lariviere has been a devoted servant to his country and fellow citizens. A native of Rochester, New York, he earned a bachelor's degree in history from the Citadel in 1979. During my freshman year at the Citadel, Jim personally ensured that I was ''squared away'' when I navigated the trials and tribulations of ''knob year'' in the Corps of Cadets. While at the Citadel, Jim distinguished himself with scholarship having worn academic gold stars, and with military bearing as a member of the junior sword drill, Summerall Guards, and as Regimental Adjutant for the Corps of Cadets.

Upon graduation, Jim was commissioned as an officer with the United States Marine Corps. During his time on active duty, Jim Lariviere commanded a force reconnaissance platoon in Beirut, Lebanon, and served as a company executive officer, company commander, assistant operations officer, and White House Social Aide. He is a graduate of the Amphibious Reconnaissance School, U.S. Army Ranger School and earned the privilege to wear the Navy Marine Corps Parachutist Insignia. In every assignment he excelled in his service, being recognized by numerous awards and medals, including: The Bronze Star, Meritorious Service Medal (2), Navy Marine Corps Commendation Medal (4), Joint Service Achievement Medal, Joint Meritorious Unit Citation, Afghanistan Campaign Medal (with 2 campaign stars), Global War on Terrorism Medal. Jim also holds a masters degree in national security affairs from Georgetown University and he is a graduate of the Air War College.

Jim left active duty, transitioned to the Marine Corps Reserve and joined my congressional staff in 1993, bringing his military values and experience to the United States House of Representatives. Jim successfully balanced his Reserve duties with a career on Capitol Hill. Initially, he worked on my office staff as the military legislative assistant handling national security, veterans', and technology issues. He also acted as the lead staff member for the House National Guard and Reserve Components Caucus. In February 1999, he joined the professional staff of the House Armed Services Committee as a member of the policy group where he had responsibility for a wide variety of defense policy issues including national security and military strategy, force structure policy, on-going military operations, peacekeeping, and military readiness policy.

In 2003, Jim Lariviere joined the firm of Holland & Knight LLP as a Senior National Security Policy Advisor, working directly with the late Congresswoman Tillie Fowler. He also served as a consultant to the Defense Policy Board. In May 2005, he returned to Capitol Hill as the Republican Staff Director of the House Committee on Veterans' Affairs during the 109th Congress, when I was chairman. While staff director, he was ordered to active duty in Afghanistan from June through December 2006. While in Afghanistan as part of operation Enduring Freedom, he served as Deputy Director for Training Operations, Plans and Education at the Combined Security Assistance Command. During the same period, he also served as mentor to the G–3 of the Afghan National Army. For his military service in Afghanistan he was awarded the Bronze Star.

During his tenure as staff director, he led and supervised the committee and subcommittee staffs in their legislative and oversight work, which included the enactment of the Servicemembers' Group Life Insurance Enhancement Act of 2005, which became Public Law 109–80, and the Veterans' Benefits, Health Care and Information Technology Act of 2006, which became Public Law 109–461.

When I became the Ranking Republican Member in 2007, Jim Lariviere continued as the Republican staff director. He was instrumental in the minority staff development of a Republican alternative budget proposal for Fiscal Year 2008 and 2009 and in a successful amendment to the Wounded Warrior Act, which was incorporated into the National Defense Authorization Act for Fiscal Year 2008, Public Law 110–181. His tireless efforts resulted in significant improvements in the care and treatment of injured or ill servicemembers returning from Operation Iraqi Freedom and Operation Enduring Freedom.

Jim has spent his life dedicated to serving this Nation. As he takes yet another step in continuing that service, as a warrior, a leader, and a patriot in every facet, I am confident that he will do so with strong devotion to the country and to men and women who defend our freedom and way of life.

I am honored to call this family man my friend. He has earned the respect and admiration of all who know him and he embodies the principles and character that epitomizes what is expected of a model Marine Corps officer, or any officer.

Madam Speaker, I urge my colleagues to join me today in recognizing the remarkable career of Jim Lariviere and to thank him for his leadership and honorable service to our country. I say to him, ''Bravo Zulu'' and wish him, his wife, Virginia, and their four children, much success and happiness during the next chapters of their lives. ''Hit it smack''

TRIBUTE TO LIEUTENANT COLONEL EDWARD M. FORTUNATO

HON. ROBIN HAYES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. HAYES. Madam Speaker, I rise today to recognize and to pay tribute to Lieutenant Colonel Edward M. Fortunato, United States Army, on the occasion of his retirement from active duty. Lieutenant Colonel Fortunato, a

truly exceptional officer, has served our great Nation for more than 20 years and I am proud to call him my friend.

Over the past three years, I have had the honor of working with LTC Fortunato on a variety of issues during his tenure as the Congressional Liaison for all Army Aviation programs. As a fellow aviator, I have come to know and respect Ed and his dedication to his work on behalf of the warfighter. There is no doubt that LTC Fortunato has been instrumental in educating Members of the House Armed Services Committee on Army Aviation programs and initiatives. His tireless efforts working with members of the Committee and staff was singularly instrumental in the successful authorization and appropriation of the Light Utility Helicopter, Armed Reconnaissance Helicopter, Joint Cargo Aircraft, Chinook Multi-year, Apache, Black Hawk Multiyear and numerous Unmanned Aerial Vehicle and Aviation Research and Development projects.

My staff and I worked especially closely with Ed on the Joint Cargo Aircraft program, and I am convinced that the success of our Congressional efforts, and the ability of the JCA program to move forward, is in large part due to LTC Fortunato.

On behalf of Congress and the United States of America, I thank LTC Fortunato for his tireless efforts in the support of Army transformation. His professionalism, expertise, and efforts showcase his patriotism, and his dedication to his fellow aviators and warfighters in the field. LTC Fortunato is a true Jedi Knight.

I want to personally thank LTC Ed Fortunato, his wife Monique and his entire family for their commitment, sacrifice, and the contributions they have made throughout his honorable military service. I congratulate LTC Ed Fortunato on completing an exceptional and extremely successful military career and his dedicated service to our Nation. I wish Ed and his family many blessings and much success as he begins his future endeavors and embarks on new adventures.

PERSONAL EXPLANATION

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. WELLER of Illinois. Madam Speaker, I rise today to enter into the RECORD votes I would have cast had I been present for Rollcall votes 434 through 440 and 465 through 470. I was absent on part of the day Friday, June 20th, Monday, June 23rd, Thursday, June 26th, and Tuesday July 8th due to personal reasons.

If I were present I would have voted, ''nay'' on Rollcall vote 434; ''nay'' on Rollcall vote 435; ''nay'' on Rollcall vote 436; ''yea'' on Rollcall vote 437; ''yea'' on Rollcall vote 438; ''yea'' on Rollcall vote 439; ''yea'' on Rollcall vote 440; ''yea'' on Rollcall vote 465; ''yea'' on Rollcall vote 466; ''aye'' on Rollcall vote 467; ''yea'' on Rollcall vote 468; ''nay'' on Rollcall vote 469; ''yea'' on Rollcall vote 470; ''aye'' on Rollcall vote 471; ''aye'' on Rollcall vote 472; and ''aye'' on Rollcall vote 473.

REMEMBERING THE LIFE OF DOROTHEA E. HOSKINS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. RANGEL. Madam Speaker, I rise with great sadness as I pay tribute to Dorothea E. Hoskins an outstanding daughter of Harlem who recently passed away. As I speak with profound sorrow, I ascend to celebrate a life well lived and to remember with fondness the accomplishments of a remarkable woman who, over her many years and under much adversity, was an ardent supporter of civil rights, human liberty and a leader in the Postal Service.

The death of Dorothea on June 28, 2008, brought immense sorrow and loss to her family and friends, and to the countless individuals associated with the National Alliance of Postal and Federal Employees. Dorothea was respected and esteemed by all the members throughout the United States Postal Service where she served as a clerk from 1989 until her retirement from the New York Planetarium Station.

''Dottie'' as she was affectionately known, was an inspiration and true symbol of strength and commitment to her church family as a faithful member of St. Luke's Baptist Church for more than 60 years. She was a shining representation of selfless love for mankind, and derived significant gratification from her years of service with St. Luke's, citing the joy of spreading the word of salvation through Jesus Christ to the lost and created support for missionaries throughout the world.

As a staunch supporter of civil rights and human liberties, she served as an Executive Committee Member of the NAACP Mid-Manhattan Branch for over two decades, served on various committees, and frequently chaired Black History Month Programs.

Dorothea also served as a leader by encouraging the exchange of professional knowledge among Alliance members nation-wide and provided long-term service within District VIII of the National Alliance of Postal and Federal Employees while serving as District VIII President from 1990–1992. She achieved so much during the span of her career that her comrades will continue to benefit from her work even as they miss her ongoing presence among us.

Madam Speaker, rather than mourn her passing, I hope that my colleagues will join me in celebrating the life of Dorothea Hoskins by remembering that she exemplified greatness in every way.

GREATER LAKE HOUSTON HEART WALK

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. POE. Madam Speaker, On June 30th Texans from the greater lake Houston area joined together to participate in The American Heart Association's Greater Lake Houston Heart Walk. The number one and number three killers of Americans Heart disease and stroke do not discriminate against age, race, or gender.

By raising awareness, encouraging physical activity, and involving the community, participants are empowered with life altering information. Through initiatives like the greater lake Houston walk, the American Heart Association's goal is to not only encourage physical exercise but to also educate the community about circulatory diseases. According to the census bureau, in 2005 over 36,000,000 people reported being diagnosed with either Heart Disease or Stroke.

Participants in the American Heart Association Walks can learn about why it is important to stay healthy, and at the same time contribute to research, advocacy, and public education. Donations raised through sponsorships and citizens alike have allowed the American Heart Association to continue its mission since 1924. In the years 2005–2006 they invested more than $543 million in the fight against heart disease and stroke.

Perhaps one of the most important means of Heart Disease and Stroke prevention is the regular maintenance of a healthy lifestyle. This measure is especially connected to regular physical exercise as many risk factors are all interrelated to a lack thereof. These include inactivity, excess weight, high cholesterol, and high blood pressure.

Through educating Americans of risk factors, symptoms, and prevention the hope is to reduce instances of heart disease and stroke 25 percent by 2010. Community involvement in the Greater Lake Houston Heart Walk and others like it encourages others to also become aware of the number one and number 3 killers of Americans. From heart healthy eating to physical activity, learning the means of prevention and passing them along, is the key to these walks' successes.

EXPRESSING THE APPRECIATION OF MARVA ALLEN AND HER CONTRIBUTION TO THE COMMUNITY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. RANGEL. Madam Speaker, I rise today to express my appreciation for Marva Allen and the Hue-Man bookstore's contribution to the community.

Marva Allen, entrepreneur, author and visionary, became a managing partner/CEO of the Hue-Man bookstore in 2004. Born in Jamaica, Allen earned her degrees in England and the U.S., launched a multi-million dollar computer tech company and built a very successful career in the business world. Her creative ways and fresh ideas for a new business made Hue-Man Bookstore and Cafe a successful project and a crown jewel of Harlem. In addition to being a bookstore, Hue-Man is a cultural and community center.

Marva Allen's focus is the literacy for all. She firmly believes that through her business, she is able to bring and impact change for the community of Harlem. She is a member of various philanthropic organizations, such as LitWorld, that addresses literacy worldwide, St. Hope Leadership Academy, an educational center, and Melvin Van Peebles Foundation,

that promotes worldwide access to education and research.

Despite the difficulties and hardships of competing with internet website stores and street vendors, the Hue-Man bookstore remains a thriving venture with a lot to offer. Marva Allen's plans for the future are enthusiastic and impressive. She envisions the expansion of the Hue-Man bookstore through the e-commerce project with state of the art technology, branding and global marketing.

TRIBUTE TO METRO UNITED U–17 GIRLS SOCCER TEAM

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. SHIMKUS. Madam Speaker, I rise today to pay tribute to an outstanding group of young ladies from Madison County, IL.

The Metro United U–17 girls soccer team won second place in the Illinois Youth Soccer Association State Cup finals June 15 in Libertyville, IL. Their only loss was in the championship game to Eclipse Select, the number one ranked team in the nation. Along the way to the finals, Metro United beat Eclipse Select South 2–0, Illinois Fusion 3–1, and Chicago Magic 1–0.

I want to congratulate coaches Tony Segobiano and Mitch Bohnak, and the members of the Metro United U–17 team: Megan Pawloski, Brittney Dailey, Jenny Humphrey, Emily Morris, Kelli Segobiano, Tess Huetner, Allison Menchak, Ashley Juravich, Jordan Hendrickson, Kaisi Hartwick, Kaitlyn Hoffman, Sam Poteet and Maureen Nesbit.

These young ladies have devoted many hours of hard work and dedication toward reaching this achievement, and I join with the other members of the House in congratulating them.

HONORING IRENE PEVERI FOR HER DECADES OF PUBLIC SERVICE AND COMMITMENT TO THE NEIGHBORHOODS OF NEW YORK CITY

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mrs. MALONEY of New York. Madam Speaker, New York lost an exceptional community leader this month when Irene Peveri passed away. Irene Peveri was not just a leader, but a mentor and innovator who helped change the very skyline of Manhattan by persuading the city to require livable streetscapes in our densely urban community.

For nearly three decades, Irene Peveri passionately advocated both growth and preservation in New York City neighborhoods, and became a leading voice for ''contextual zoning''—the idea that taller buildings are appropriate for avenues with their wider boulevards and retail activity, while low scale buildings are a better fit for side streets. She worked tirelessly with community boards, grassroots organizations, neighbors, politicians, business leaders, and entrepreneurs to ensure that New York's neighborhoods retained a human scale. When she testified, her presentations were always thoughtful, factual, impressive and delivered with persuasive sincerity.

In the early 1980s Irene joined with her neighbors in successfully challenging the construction of a ''sliver building.'' Sliver buildings are tall slender buildings constructed on lots that have a narrow frontage, typically 45 feet or less. The effort was successful when the city adopted a law banning sliver buildings in 1983.

In 1985, local leaders in founded East Side Rezoning Alliance (ESRA), a coalition of community groups dedicated to advocating zoning changes that would scale down allowable heights for new buildings on side streets. Irene served as ESRA's co-chair for most of its existence. At every opportunity, Irene encouraged builders and community groups to work together to ensure that new developments would be compatible in scale with older buildings in the neighborhood.

ESRA funded several planning studies to change the New York City Zoning Resolution, using the proceeds from an annual street fair along Third Avenue and grants from philanthropic organizations. These studies persuaded the Department of City Planning to support the rezoning of many areas between 14th and 59th streets, and led to a permanent change in city law. The new zoning text restricted large scale development to the avenues, and imposed stricter building heights on the side streets. This mix of development allows tall buildings to rise without overwhelming the neighborhood. The latest study funded by ESRA was the CB6 197–a Plan, a community-based plan covering the entire Community Board 6 area. It was adopted by the City Council on March 26, 2008.

The model Irene and her allies developed was replicated elsewhere in the city. ESRA gave support and guidance to community groups that were trying to fend off overbuilding. With Irene's assistance, other neighborhood groups were able to persuade the city to adopt contextual zoning for their areas. As a result, most neighborhoods enjoy a mix of development, and Manhattan residents can still enjoy a glimpse of the sky.

More recently, Irene worked with the Coalition for Community Facility Reform to oppose the proliferation of rear yard incursions. New York City's zoning resolution mandates rear yards, which were intended to provide residents with unbroken, block-long swaths of green. In 1961, the law was amended to allow community facilities (a term that includes everything from doctors' offices to monasteries, from day-care centers to various non-profits) to build extensions in the rear yards of residential buildings all the way to the property line, so long as the addition is no more than 23 feet high. These rear yard incursions reduce the availability of light, air and green space for residents of neighboring properties. Irene and other community leaders worked to persuade the city to change the zoning resolution to further restrict the types of entities that are eligible for the exemption to schools, houses of worship, colleges or universities, and hospitals and related facilities.

Irene was a member of Community Board 6 and served on its Land Use Committee. During that time, Irene was a vital participant in every major zoning review and initiative of Community Board 6, from the rebuilding of Third Avenue, to, most recently, the development proposals for the Con Edison site on First Avenue. She remained active in the Community Board until her death and was Second-Vice Chair of the Board when she passed away. The Board recently celebrated her achievements at a ceremony held May 19, 2008.

Irene Peveri had a genuine passion for and dedication to all of Manhattan's neighborhoods. She was a consensus builder who understood the importance of working in concert with her neighbors. Irene had a unique gift for empowering others and engaging them in the community. She possessed a talent for bringing people and ideas together, forging unlikely partnerships that helped achieve the goal of making sure New York remains a livable city.

Madam Speaker, I ask that my distinguished colleagues join me in recognizing the enormous contributions to civic and political life made by Irene Peveri, a dedicated activist who made an extraordinary difference in the way New York City has developed.

PERSONAL EXPLANATION

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. COHEN. Madam Speaker, I rise to note that I would have voted in favor of H.R. 3981, the Preserve America and Save America's Treasures Act (Rollcall No. 471). I was unable to be present during the vote for this bill because my flight from Memphis to Washington was delayed due to an air traffic control constraint.

IN SUPPORT OF THE RECENT SUPREME COURT DECISION ON DC'S HANDGUN BAN

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. CARDOZA. Madam Speaker, I rise today to offer my support for the recent decision made by the United States Supreme Court upholding the right of residents of the District of Columbia and elsewhere to keep and bear arms. On Thursday, June 26, 2008, the Court rightly struck down the decades old ban on handgun possession and ownership in the District of Columbia, one of the strictest bans in the country.

Throughout my tenure in Congress, I have co-sponsored legislation to end this ban and to expand gun rights within the District to preserve the Second Amendment rights guaranteed to all Americans by the U.S. Constitution. Furthermore, I signed an amicus brief along with 249 other members of this respected body opposing the District's gun ban and urging the Supreme Court to recognize its constitutional defects.

In issuing its decision, the Court affirmed and protected the Constitution and the right of a sportsman to have a registered shotgun in his home and renewed the right of a homeowner to possess a handgun in order to protect one's family and property from intruders.

While I certainly understand the desire to consider occurrences of violent crime when

crafting gun control legislation, our country is based on the premise that enforcement of our fundamental rights cannot be haphazard. Our Founding Fathers fought for the individual liberties we all enjoy—among them, the right to possess firearms. This right, along with the freedom of the press or the privilege against self-incrimination, must not be dismissed or diluted.

As a hunter and gun rights advocate, I applaud the Supreme Court for its decision. I look forward to continuing my work in Congress to protect the integrity of the Second Amendment.

IN HONOR OF THE SERVICE OF JOHN LANCASTER

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. HOYER. Madam Speaker, I rise today to honor the life and work of a historic figure in my community, Mr. John Lancaster, who passed away on July 1st at the age of 90.

John Lancaster was a man of principle and deep devotion to his community. As the first elected African-American county commissioner in the history of St. Mary's County, Maryland, Mr. Lancaster was certainly a political trailblazer. Breaking that barrier was indeed astonishing. John believed that he was accountable to all in the community as he simply but eloquently once said ''I was a commissioner serving all people.''

Perhaps the most important issue to John was education. A local official in my community recently dubbed him as the ''education commissioner'' and many regarded him as a mentor in education policy. As commissioner, John could not sit idly as public schools were decaying in front of him. Today, because of his efforts and foresight, education is a very important issue in St. Mary's County, and students are learning in first class facilities.

John Lancaster was the personification of hard work and optimism. In face of discrimination he pressed forward. Mr. Lancaster will certainly be remembered as an example for those who dare to dream the impossible. I would like to offer my condolences to his loving family, as we mourn the loss of an extraordinary person.

TRIBUTE TO RAYMOND THAYER DONOVAN

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. LARSON of Connecticut. Madam Speaker, I rise today to pay tribute to a dear friend and mentor of mine, Raymond Thayer Donovan, who passed away on May 10, 2008. A World War II vet and engaged civic leader, Ray stood at the center of Connecticut politics. I, along with the entire State, mourn this great loss. It is with great honor that I submit for the CONGRESSIONAL RECORD remarks made at his funeral by Kevin Brown and myself. Through these words, we remember the life and spirit of a truly great man.

KEVIN BROWN

First and foremost, I'd like to thank Louise and the family for the honor of being able to say a few works today in remembrance of Raymond. Like so many of you, I loved him very much.

I know that Raymond would have wanted me to be brief. For his sake, I will try. But it won't be easy. When Shelley called and asked me to speak today she told me that the family thought that I might be someone who could best tell Raymond's story. Try as I might, I couldn't do it. I felt like I was telling my story.

You see, all of my memories of Raymond are about what he did for me, how he helped shape my life, what he taught me, and the example he set. I finally realized that telling Raymond's story is so hard because it was never about him; it was always about the people in his life. Raymond was the most unselfish person I've ever met. For him, it was never about power, recognition, success or wealth. His greatest source of satisfaction came from helping others. He was never out front claiming the credit. He moved through the world without making any noise but his fingerprints were everywhere. He was always encouraging. He made us feel appreciated and a part of something.

More importantly, Raymond had this unique capacity to gaze at a room full of people and sense who was feeling left out, who was drifting from the group and who needed to be touched. Without us ever realizing why, he would suddenly appear as you turned to leave. And he would ask you to stay, telling you how smart you were, how much you were needed, and how proud he was of you. And once he knew you were back in the fold, he'd disappear just as suddenly and be on his way to make someone else fell important and wanted. And he did this without ever asking you to follow him. Quite to the contrary, he'd try to convince you to lead on the promise that he would follow. It was his reassurance that made so many of us confident to take such bold steps in our lives.

In fact, of one thing I am sure: Raymond never saw himself as a leader. If the truth be told, he was a shepherd. Someone who guided so many people through the journey of life, showing us the way and watching over us, making sure that, if possible, no harm came to us. And when we stumbled or fell, he was there to pick us up, dust us off and send us back on our way.

Whether it was his family or the Lions Club, the fourth district, the folks at Latimere Point, his co-workers at the State Capitol, or for that matter, anyone who knew him. Raymond was their shepherd, that silhouette of a man off on the hillside watching over us. A man who gave much and asked for so little; and someone who taught us the power of humility, integrity, and forgiveness.

Being a shepherd can be lonely. Standing watch can be a heavy burden. Every shepherd needs a star to guide them, a point in the distance, ever true, to fix upon, to draw strength from, and point the way. Raymond had Louise. She was his North Star and he knew he was her knight in shining armor. She was his greatest source of strength and her unconditional love was his greatest reward in life. Together, they helped us all endure our moments of doubt and enjoy ourselves along the way.

The last time that Raymond and I spoke was last year at a wonderful memorial service that my sister held for my mom in Saybrook. As always, Raymond was smiling and so happy to see me. He told me how proud he was of me and what a wonderful person I was. He spoke fondly of how wonderful my mom was and what a great job she did raising us. This morning, I thought how ironic it was for that to be the last time I'd see Raymond. I realized that so many people go through the journey of life and never have a shepherd to watch over them. And I had two: Raymond and my mom.

Raymond, I hope that this wasn't too long!! I tried to tell your story as briefly as I could. And Raymond, I want you to know I've made the journey this far with your help and without you, I might surely have lost my way.

JOHN LARSON

A great light went out of our lives, and created an indescribable void and pang that only the warm memory of such a wonderful man can console us. On behalf of U.S. Senator Dodd and myself, it was an honor to fly a flag over the United States Capitol in memory of this Navy Veteran, elected official, and public servant. Ray Donovan's life defined civic commitment, love of country, and love of family.

My father will be gone 20 years this October. Ray and he were great friends. Ray Donovan made sure in my father's absence that he took time to share with me and my brothers and sisters the fond memories about my father. As all of my family can attest, Ray was a man of letters, a great writer, and conveyor of sentimentality and the human condition. His letters would always give you pause and make you reflect. In those letters he never failed to mention some anecdote about Dad and how proud he would be. He went out of his way to honor us, by honoring the memory of our father, and his friend. I am humbled to be asked to remember him today.

I heard of Ray and Louise Donovan long before I ever met them. Growing up in East Hartford, Democratic politics played a huge roll. For me, they were lessons learned at my mother's knee. They were, after all, the generation who elected John Kennedy. . . . The Donovans were kitchen table conversation at the Larson's house long before I ever met them in person.

My mother would talk of Ray Donovan in the most respectful tone. What a gentleman! What a thoughtful, intelligent man! What a loyal and good friend! What patience, what a calming force!

Through Mom's eyes and words we learned of a man who seemed like John Forsythe, Jimmy Stewart, and Ozzie Nelson rolled up into one. He did not disappoint . . .

Louise and Ray . . . like . . . well . . . Tracey and Hepburn; Fred Astaire and Ginger Rodgers, or as we say in East Hartford, Herb and Reggie; Burns and Allen; Ricky and Lucy; Bill and Hillary, or Nikki and Bill: take your pick . . . in East Hartford; it was Louise and Ray, the political power couple of the day! Louise, unafraid to assert her view and giving new meaning to the word candor, Ray, diplomatic and ever gracious. They were quite a team. Whether it was Democratic politics, the Lion's Club, cookouts at Latimer Point, or serving the clam chowder at Bocce, they were inseparable.

They were at the epicenter of the Democratic Party in its hey-day in East Hartford. I still can recall the elegance and class of the dances on Founder's Plaza, under the moonlight, overlooking the Connecticut River and the Hartford skyline. Yet the most coveted invitation in town was the afterglow party at Walter Place! What a wonderful time it was, what a wonderful couple they made. If you close your eyes, you can still see the gala of that night unfold. Jimmy Fitz was at his zenith, Dick & Terry Blackstone, Timmy & Rosemary Moynihan, Ann & Toni Fornibi, Larry & Joe Delponte, Dick & Peg Torpey, Frank & Shirley, John & Ellie Fitzgerald, Gigi & Tony Roberto, Ray & Pauline, Rita &

Don, Julie & Herb . . . and at the center of it all, Ray and Louise. I can still hear the music and laughter echoing into the summer's night.

I always got a kick out of the fact that Paul Landerman's Orchestra would play at the dance and Paul Maynard, a Republican Councilman, and good friend of many Democrats, was playing in the band as the Democrats tore up the pavement to ''In the Mood.'' It was the coming out party of the year.

Shelley, Kevin, Sue Maynard, Paul's daughter, and I were all classmates in high school when our parents served on the town council. It's an awkward thing when your parents are in office in some respects. It was a different time, perhaps because we Democrats had a 4–1 registration advantage, but it seemed like Republicans and Democrats just got along better. I know for Shelley, Susan and myself, we might have given the eye roll at the mention of their elected office, but we respected their service and were proud of them.

My Dad and Ray drove back and forth to work at Pratt & Whitney Aircraft in North Haven for several years. They had a lot in common; both were Navy Veterans serving on the aircraft carriers, for my Dad, the Franklin and for Ray, the Midway. Both were firefighters in the Navy, both worked at tool and dye shops after the war. Both married well, and their families were the center of the universe.

They were, however, different. Ray and Raymond, the R&R Express. Try to imagine riding in that car with Dad and Ray. It would be like listening to a conversation between Archie Bunker and Fred McMurray. Ray Donovan, more urbane, sophisticated and measured; Dad, a little rough around the edges. Dad preferred baseball caps, flannel shirts and playing the organ at the Elks to Ray's shirt, tie and occasional sweater, and service to the Lions. Ray loved the dialogue, the give and take of politics, while Dad was skeptical of the whole process. One thing my father wasn't skeptical of, though, was the honesty and decency of Ray Donovan. My father loved Ray Donovan, their companionship, and their camaraderie during those trips back and forth to North Haven fortified the unique bond they shared. What I would give for a tape recording of those journeys. It would be prime material for a Normal Lear comedy.

I have a feeling, though, Dad was one of the first to greet Ray as they embark on another journey. It's a safe bet they picked up the conversation where they left off, catching up on their families.

Much has been written of their generation. Ray epitomized what has rightfully been called the Greatest Generation, and represents all that is rich about the lives our parents led. A child of the Depression, a veteran of the World War, a builder of a community, who selflessly served the Democratic Party, as Forth District Chairman, member of the Board of Education, the Town Council, and the Lion's Club, and the V.F.W. Proud of his Irish heritage and proud to be called a Democrat! Ray was a devoted husband, loving father and enduring friend. I was never around him when he didn't talk about his family or ask about mine.

Ray Donovan was more than an advisor or mentor. Those well-meaning words don't do him justice. He led by his example. He was the listening ear, the sympathetic heart, the person of firm resolve and conviction, patient and willing to forgive, the calm, assured inward strength that formed a constant you know that was there for you.

What he did for me and all who sought his council was lead by example. No task was beneath him, no person nor cause not worthy of his effort. He met everyone with a welcoming smile, an outstretched hand, and always a word of encouragement that was his trademark.

He never spoke of material possession. What others saw as life's benchmarks of success, new cars or homes, never interested him. I never heard him speak ill of anyone, he was a source of positive energy whose approval you sought and wanted.

It is said that we stand on the shoulders of other who have come before us. Ray Donovan's shoulders were broad enough for all of us to stand upon. Emerson wrote what most men led lives of quiet desperation and go to the grave with a song still in them. Ray Donovan led a life that was resolute and content, his song and life was one of quiet inspiration. An inspiration that was contagious because it came by way of his own example. I heard him say often of many people but never with such pride as when he would say of Louise with a broad smile and quiet satisfaction, ''Isn't that Louise something.'' We pause today to say, ''Wasn't that Ray something.'' We miss you. We love you. Say hi to Dad for me.

REMEMBERING THE INNOCENT LOST DURING SREBRENICA GENOCIDE

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. CARNAHAN. Madam Speaker, this Friday, July 11, 2008 marks the 13th anniversary of the Srebrenica genocide in Bosnia.

I rise today to express my deepest sympathy for, and in remembrance of the victims this horrible genocide in Bosnia, which lasted from 1992–1995.

The most infamous episode in this genocide was the massacre of Bosnians led personally by General Ratko Mladic at the United Nations-declared ''safe haven'' of Srebrenica in eastern Bosnia in July, 1995.

We should remember all of the innocent people who were brutally killed by honoring their lives and remembering their struggle for freedom during the three-year conflict in Srebrenica, a city in Bosnia and Herzegovina.

I would also like to honor the memory of victims in places less well-known: in Kozarac, Prijedor and Banjaluka in northwestern Bosnia.

This conflict was the largest massacre and genocide of civilians in Europe since World War II.

In my district, I am proud to say that I have one of the largest Bosnian American populations in the United States. Of the tens of thousands of my Bosnian American constituents, upwards of 5,000 are survivors of the Srebrenica genocide.

As a Representative of many Bosnian-American friends in St. Louis, I understand that this tragedy continues to affect many of my constituents. We must commemorate those who died, hold those who are responsible accountable, and honor the brave survivors.

It is important for us to remember this dark chapter in history to learn from it for the benefit of our future generations.

RECOGNIZING COLONEL TIMOTHY RAY, USAF COMMANDER, 7TH BOMB WING, DYESS AIR FORCE BASE

HON. RANDY NEUGEBAUER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. NEUGEBAUER. Madam Speaker, I rise today to honor a great leader in the 19th District of Texas. America's military has a solid foundation of tradition and heritage handed down from generation to generation. The United States Air Force in particular holds three core values: Integrity, Service Before Self and Excellence in Everything We Do.

While every airman who wears the Air Force uniform is expected to practice those core values, there are a select few that lead by example and rise above all others. For that they are rewarded with one of the military's highest honors—Command.

As Commander of the 7th Bomb Wing, COL Timothy Ray led more than 5,000 men and women in direct response to the Global War on Terrorism. As home to the B–1B Lancer, under Colonel Ray's leadership, Dyess airmen repeatedly sent our enemies running, providing constant vigilance and rapid response backed by overwhelming fire power. In addition, Dyess' C–130 aircrews have done incredible work saving lives by taking soldiers and marines out of the line of fire and into the safety of the air.

As a leader, Colonel Ray has been a stalwart champion of the men and women of Dyess AFB as well as their families. He has also been a great friend to the city of Abilene. His tireless efforts have made Dyess Air Force Base a model installation, especially during a time of war. Colonel Ray worked very hard to set tough energy efficiency conservation standards with the families and airmen first in his mind. His efforts on behalf of the Air Force and the American taxpayer leave Dyess Air Force Base a better place.

I wish Colonel Ray many years of continued success and thank him for his service to this great nation. I join with the city of Abilene and the 19th District of Texas in saying how proud and thankful we are for his leadership. The United States Air Force is blessed to have such a capable leader in COL Timothy Ray.

2008 UNIVERSITY OF FLORIDA WOMEN'S SOFTBALL TEAM

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. STEARNS. Madam Speaker, I rise today to honor the University of Florida's 2008 Women's softball team for their historic 70–5 winning season. This marks the first time in NCAA history that a team has won 70 games in a single season. The UF Women's softball team has also set many outstanding records this season in hitting, pitching, and fielding, and for the first time in school history, the softball team made it to the semifinals of the Women's College World Series.

In addition to their historic season, the Gators produced five All-American honors

players, and many personal records were set for the number of runs scored, bases stolen, and game shutouts. The UF Women's softball team played with class and won with grace, and their teamwork, tenacity, and gamesmanship deserve to be recognized. This certainly is a team to be remembered, and this is just another reason why it is great to be a Florida Gator.

HONORING SCLC AND REVEREND DR. S. L. HARVEY

HON. WILLIAM J. JEFFERSON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. JEFFERSON. Madam Speaker, on February 14, 1957, a little more than 51 years ago, the Southern Christian Leadership Conference, SCLC, was founded in New Orleans, LA. It is returning to New Orleans today for its 50th Annual Convention, to celebrate its founding and to mark the progress it has made over the years.

On the date of its founding, Dr. Martin Luther King, Jr., Reverend A.L. Davis, Reverend Avery Alexander, Reverend Simmie Harvey, and others meet at New Zion Baptist Church located on 3rd Street in New Orleans to organize the SCLC. Of those present on that date, Dr. Simmie Harvey is the only living organizer. Additionally for the past 33 years, he has led the Louisiana Chapter of the SCLC as its President.

Reverend Dr. S.L. Harvey was educated at the Tensas Parish High School in St. Joseph, Louisiana, Utica Institute in Utica, Mississippi and Union Baptist College and Theological Seminary where he received both his Master's Degree in Theology and his Doctor of Divinity.

Reverend Dr. Harvey was present at the planning of the march in Washington, DC., where Dr. King delivered his ''I Have a Dream'' speech. Reverend Harvey is a living legend and Drum Major for Justice for all people. He continues to carry the torch for freedom that Dr. King and other founders of the SCLC lit in 1957.

As we celebrate the life and work of the SCLC, it is impossible to do so without celebrating Dr. Harvey's life and work at the same time. The two are inextricably intertwined. We thank God for him. I am proud to join the U.S. Congress and our nation in honoring him.

INTRODUCTION OF THE GREEN 301 ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. BLUMENAUER. Madam Speaker, today I am introducing the Trade and Environment Enforcement Act, also known as the Green 301 Act. This bill expands the Section 301 provisions of the Trade Act of 1974 to encompass environmental effects.

Under the Trade and Environment Enforcement Act, the Trade Representative must identify those foreign country trade practices causing negative environmental impacts to human, animal, or plant life or health, or the conservation of exhaustible natural resources in the United States, the foreign country, a third country, or internationally. Once those practices have been identified, the Trade Representative must issue a report to Ways and Means and to Senate Finance with its findings.

After the Trade Representative issues its report, it must engage in consultations with foreign governments to resolve the negative practices it identifies with in the report and seek to negotiate an agreement between the United States and the foreign country providing for the mitigation, reduction, or elimination of the identified negative environmental impacts. If no agreement is reached, then the trade representative is authorized to take all appropriate and feasible action authorized under Section 301.

Additionally, the Trade and Environment Enforcement Act permits petitions and consultations under this process from interested parties, including environmental organizations and the business community, to expand the types and scope of the Trade Representative's environmental review.

A PRAYER FOR AMERICA

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. ETHERIDGE. Madam Speaker, I rise today to pay tribute to Reverend Bill Goodnight of First Presbyterian church of Lillington, NC. On the 230th birthday of this great Nation, Reverend Goodnight expressed his patriotism with a most fitting prayer. His prayer embodies the values on which the United States of America was founded. These are the same values that we as Americans still hold near and dear to our hearts today, I would like to share this prayer with my colleagues and my fellow Americans.

''Eternal God we come before you on this birthday of our nation 230th birthday of our Nation. We come with praises upon our lips for your love and mercy, which makes itself know throughout the earth. We come with praises for your mighty creative energy that hung the stars and spun the planets and for your still small voice that speaks in the silence of the canyons and booms out across the oceans waves. For those with eyes to see and wars to hear your spirit is seen dancing upon our golden meadows, your song is heard in the cry of the bald eagle, your presence is felt in the deepest canyon and the highest mountain . . .

Yet we confess eternal creator that we have too often sought your blessing without begging for your transforming power that calls us into a nation of servanthood in this and every hour. We confess that we are quick to proclaim that you are on our side without checking to make sure that we are on your side.

Therefore, we celebrate with thanksgiving this Fourth of July, not only the great provisions of this land but your patience toward us when we forget that to whom much is given much is expected. We thank you for your protection from pestilence and the horrors of famine known to much of this world. We thank you for a stable government which works to guarantee our freedoms and provides us with protection against those who would do us harm. We are particularly grateful this night for our leaders that are here with us as a reminder that by your will we truly are a government of the people and by the people.

Our strongest petitions this night we reserve those brave men and women who have obeyed the orders of their commander in chief and have stepped into harms way in distant land, particularly Afghanistan and Iraq. We cry for the widows, widowers, and orphans left in the wake of the current conflict on both sides of this war. Let not our tears be empty but grant to us the fortitude and resolve as a community that we might nurture those who have sacrificed so much on our account. May those who have risked so much in fulfilling their military obligations find us a united community in support of them and their dependents. May we walk with them and their loves ones on the road of life offering the well-deserved hand of friendship and fellowship. We know that nothing can make up for what we have sent them to endure, but may our overwhelming gratitude and respect offer them comfort.

Help us to live our lives with grateful hearts, teach us how to be there for each other when tragedy strikes, and give us plenty of opportunities to rejoice with one another when good comes our neighbor's way.

In closing, we ask not only your blessing upon us but for your guidance and inspiration that we might reflect and be a source for the world of the blessings we seek for ourselves. Alleluia Amen.''

Madam Speaker, Reverend Goodnight is an exemplary figure of patriotism, leadership, dedication, and commitment to this great Nation.

COMMEMORATING THE 25TH ANNIVERSARY OF THE SPACE FOUNDATION

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 2008

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H. Res. 1312, ''Commemorating the 25th anniversary of the Space Foundation''. I would like to thank my colleague DOUG LAMBORN of Colorado for putting forth H. Res. 1312. I urge my colleagues to join me in supporting this legislation, and to commemorate the 25 years that the Space Foundation has spent endeavoring to advance our knowledge and understanding of space.

This deserving piece of legislation will (1) recognize the contributions made by the Space Foundation; and (2) commemorate the Space Foundation's 25 years of excellence and support to the Nation.

This resolution not only draws attention to the Space Foundation's many years of excellence and service, but it also recognizes the profound effect that a group of nonpartisan, pioneering individuals has had in helping to inspire, enable, and propel humanity to greater heights. For as a great pioneer, Neil Armstrong, once said, ''That's one small step for man; one giant leap for mankind.''

The Space Foundation has played a significant positive role in exploring, advancing and developing our understanding of space. The nonprofit foundation has done this by embracing all aspects of space including commercial, civil, and national security. In the current national and commercial environment in which

space is often at the forefront of security or innovation, the work that the foundation does in promoting space education programs in all 50 States is critical. Furthermore, the Space Foundation's advocacy of peaceful and positive uses of outer space is crucial. Indeed, as John F. Kennedy, speaking in Houston, noted, "We set sail on this new sea because there is new knowledge to be gained, and new rights to be won, and they must be won and used for the progress of all people."

Houston has long been at the center of the American exploration of space. The Lyndon B. Johnson Space Center in Houston has been NASA's center for human spaceflight activities. Houston has served as the Mission Control Center for every space mission since *Gemini IV* and directs all space shuttle and International Space Station Missions. The Johnson Center is also home to astronaut training, and Houston is a hub of scientific and space-related research. Houston's connection to space exploration has made evident to me the potential for growth and discovery that space holds. This connection has also inspired in me a great amount of respect and support for those organizations and individuals who pursue an awareness of space for the fostering of a peaceful and prosperous world.

I urge my colleagues to support this legislation with me. I believe that what the Space Foundation has accomplished through more than 25 years of diligent service is more than deserving of such a commemoration. Through their efforts in improving our commercial, national, and theoretical uses and understanding of space they have undoubtedly helped better our Nation.

HOMES FOR HEROES ACT OF 2007

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 2008

Ms. McCOLLUM of Minnesota. Mr. Speaker, I rise today in strong support of the Homes for Heroes Act, H.R. 3329.

The Homes for Heroes Act establishes a $200 million a year assistance program for supportive housing and services for low income homeless veterans and their families at the Department of Housing and Urban Development, HUD, and requires at least 20,000 rental housing vouchers a year be made available to homeless veterans and their families. This important bill also creates a Special Assistant for Veterans Affairs within HUD and requires HUD to submit an annual report to Congress on housing needs for veterans.

Veterans are overrepresented in the homeless population and the VA is the largest single provider of direct services to homeless veterans. According to the VA, the number of homeless veterans has declined 21 percent in the past year, however there are still 154,000 homeless veterans including 1,500 from Operation Enduring Freedom and Operation Iraqi Freedom.

The men and women of the armed forces who have served this country with honor deserve the support and resources they need to overcome mental, physical, and emotional wounds caused by war. Congress must continue fighting to ensure they receive the highest level of care and compensation they have so bravely earned serving this country.

I urge my colleagues to support this legislation.

THE DAILY 45: ROBERT WASHINGTON AND TWO OTHER VICTIMS

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. RUSH. Madam Speaker, every day, 45 people, on average, are fatally shot in the United States. Early this morning, Robert Washington of Chicago was found dead in his home with a gunshot wound to the neck.

In Wisconsin, Travis Mills was shot last Saturday morning with a small-caliber handgun and in Rockaway, Queens, a young man was fatally shot. The 18-year-old was pronounced dead at the scene.

Three more lives lost. We must become our brother's keeper. Americans of conscience must come together to stop the senseless death of "The Daily 45." When will Americans say "enough is enough, stop the killing!"

IN RECOGNITION OF THE WEST CREEK CONFLUENCE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. KUCINICH. Madam Speaker, I rise today in recognition of a "Concrete Breaking" celebration at the confluence of West Creek and the Cuyahoga River in the city of Independence in Ohio's 10th Congressional District.

The West Creek—Cuyahoga River Confluence Restoration Project implements the vision expressed in both the city of Independence Master Plan and West Creek Watershed Plan by restoring a 10-acre vacant industrial site where West Creek meets the Cuyahoga River in Independence, Ohio. The property currently contains approximately 85% impervious surface, contributing significant non-point source pollution which flows directly into West Creek and the Cuyahoga. The property and this entire area have flooded repeatedly during recent storm events and is at the center of a U.S. Army Corps of Engineers' Section 205 study to find the best way to mitigate flood damage. The restoration includes plans for its future use as a public riverfront park with the added benefits of ecological habitat restoration and storm water management best practices.

On Friday July 11, 2008, Independence Mayor Gregory Kurtz, in collaboration with the Northeast Ohio Regional Sewer District, the Trust for Public Land, the George Gund Foundation, the Natural Resources Assistance Council of Cuyahoga County, the Clean Ohio Fund, the Ohio Environmental Protection Agency, the Ohio Department of Transportation and other partners, will begin the demolition of the industrial buildings to begin the restoration.

When completed, West Creek will return to its original meandering flow into the Cuyahoga River with natural wetlands to reduce upstream flooding, clean local drinking water, and restored wildlife habitats. The new park will connect the West Creek Greenway to the Ohio and Erie Canal Towpath Trail, provide new access to the creek and river for all, and lead to economic revitalization of this part of the city of Independence. This project will contribute greatly to the continuing restoration of the Cuyahoga River, one of the 14 federally designated American Heritage Rivers.

The benefits of the West Creek Confluence Project are numerous. Locally, it will reclaim underutilized industrial property, create a new and dynamic recreation area along the National Scenic Byway, restore a more natural hydrology to Lower West Creek, create an area for urban ecology to flourish, retain and filter storm water which will mitigate the effects of flooding, and reduce non-point source pollution entering into West Creek and the Cuyahoga River. From a regional perspective, the West Creek Confluence Project will work to herald in a new era of sustainable redevelopment within the Lower Cuyahoga River Valley, capitalizing on recreational and commercial uses that still allow for a functioning floodplain with a high degree of ecological diversity, flood storage and habitat connectivity.

Madam Speaker and colleagues, please join me in recognizing the beauty and regional ecologic importance of the West Creek Confluence and the pivotal project now underway to ensure it returns to its former natural prominence.

IN SUPPORT OF H.R. 6304

HON. PATRICK J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I rise today to discuss my support of H.R. 6304—The FISA Amendments Act of 2008.

From the Revolutionary War to the tragedy of 9/11, America's quest for freedom is what defines us. It is imperative that we never forget those who died for our liberty, nor can we ignore the failures of our own intelligence leading up to that day in September 7 years ago. Balancing civil liberties and protecting our national security has been a 232 year struggle that represents the core of this great Nation.

As such, the year-long debate this body engaged in updating FISA has hinged on a question that rests at the heart of American democracy since its founding: how do we keep our Nation safe, while at the same time ensuring the preservation of those Constitutional freedoms that we hold dear? It was Benjamin Franklin who warned that those who sacrifice liberty for a little security deserve neither.

When the first effort to amend FISA—The Protect America Act—came before this House in August of 2007, I voted against that deeply flawed bill because it did not ensure proper protection of our civil liberties, nor did it provide the appropriate check over the executive branch. In fact, neither the Protect America Act, nor the subsequent "Senate compromise," included essential oversight provisions. Those bills, rather, sought to minimize the role of the FISA court, removing any form

of meaningful judicial oversight over the President and the executive branch.

My sense of justice as a former prosecutor and my experience as a constitutional law professor at West Point led me to the inescapable conclusion that our initial attempts to craft the appropriate balance failed.

Madam Speaker, the issue of foreign surveillance predates the founding of our very republic—traceable to George Washington, who made effective use of secret intelligence, including the interception of mail from the British.

However, I do not need to remind anyone in this Chamber that we have not always gotten this delicate balance right. Hindsight has shown us that too often in our Nation's past we have tipped the scale too far from liberty in the face of outside threats, hostile adversaries, and most-troubling simply outspoken American citizens.

We know many of these excesses: the eavesdropping on Martin Luther King, Jr. and anti-war demonstrators, and of course, President Nixon's use of Federal resources to spy on political groups. History has judged those decisions as leaving an enduring stain on our institution and our government—as it should.

In the late 1970s, the Church Committee and this institution worked to curb domestic intelligence abuses. Checks and balances were restored among the three branches of government, and the ability of our government to protect all of us from national security dangers was enhanced while at the same time respecting our privacy rights.

These efforts led to the passage of the original Foreign Intelligence Surveillance Act of 1978, placing—for the first time—accountability and oversight of domestic intelligence gathering in the hands of courts and Congress. FISA also put an end to the practice of warrantless domestic wiretapping for national security reasons, mandating that domestic ''national security'' wiretaps be authorized by a court of law—creating a separation between domestic law enforcement and foreign surveillance for national security concerns.

Again, with that historical perspective in mind, I opposed those original proposals and I am glad that the House of Representatives staved off partisan ploys to push this body to rubber stamp those misguided efforts.

I believe that the bill we ultimately passed was a significant improvement in nearly every aspect over the Senate's or the President's proposals.

Madam Speaker, Mike Schmidt, the greatest third baseman who ever wore a glove for the Philadelphia Phillies once said, ''Philadelphia is the only city where you can experience the thrill of victory and the agony of reading about it the next day.''

I empathized with Mr. Schmidt when I opened my morning paper the day after we voted on this critical piece of legislation.

That is why, Madam Speaker, I thought it necessary to elaborate on why I supported the bill, and clarify some common misconceptions about the Foreign Intelligence Surveillance Act and the bipartisan changes we recently passed.

Madam Speaker, my decision to vote in favor of the FISA Amendments Act was not one that I came to lightly. As a former prosecutor charged to keep our community safe, somebody who has taught constitutional law for years to our future military leaders at West Point, and proudly served this country in uniform, I thought and prayed long and hard about the best course of action. Now, as a member of Congress, it is still my duty to defend the constitution and work to keep our community safe.

I believe, Madam Speaker, that this House and this bill ultimately struck the right balance.

The FISA debate in the 110th Congress has been pushed by two events: the first, President Bush's unauthorized ''terrorist surveillance program,'' conducted outside the scope of FISA; and the second, a FISA court decision that most people, including myself, thought was wrongly decided and undermined our intelligence capabilities abroad.

It is widely agreed that no warrant should be necessary to tap the phone of a foreign national talking to another foreign national on foreign soil. The major point of contention, however—what this year-long wrangling has been about—is what to do when targeting, for example, a terrorist sect in Pakistan whose communications end up hitting American soil. Certainly it would be overly cumbersome and perhaps dangerous to require an individualized warrant for every foreign target in the off-chance their contacts involve an American; but correspondingly, assurances must be put in place to ensure that all U.S. citizens who might be caught in such surveillance are given the protections that they are due as Americans. This, Madam Speaker, was the needle we were required to thread.

The bill ensures that—in order to protect the rights of Americans—foreign surveillance targeting of non-U.S. persons abroad must be approved by the FISA Court prior to the start of any intelligence collection to ensure sufficient oversight of executive branch activities. This requires the administration to show how they determine that the targets of surveillance are actually foreigners and are actually located outside the United States. Additionally the FISA Court must approve the minimization procedures in place before surveillance can begin. Minimization is the process where the NSA prevents the dissemination of inadvertently collected information about U.S. persons. The bill also establishes a general prohibition against using FISA to ''reverse target'' Americans.

Additionally, the bill requires individual warrants from the FISA Court in every single case, based upon probable cause, to conduct surveillance of U.S. persons, whether at home or traveling abroad. While this provision has not been widely reported, this is an expansion of protections under the original FISA bill. For the first time, Madam Speaker, an individual probable cause determination and court-approved order will be needed to conduct surveillance of every American citizen, regardless of where they are located.

Perhaps most importantly, Madam Speaker, the bill restores FISA and existing criminal wiretap statutes as the exclusive means to conduct surveillance—making it clear that the no President will be able to sidestep the exclusivity provisions of FISA and disregard the civil liberties of the American people. Under this legislation the current President's illegal program of warrantless surveillance will officially come to an end, thereby firmly reestablishing basic judicial oversight over all domestic surveillance in the future.

The other major provision of the bill, Madam Speaker, is title II—defining the role of liability litigation procedures for telecommunication companies. Madam Speaker, to be frank, as a former Federal prosecutor and the son of a Philadelphia police officer the issue of immunity has always been a tough pill to swallow. Growing up in Northeast Philadelphia and schooled at St. Anselm's Parish, I was reared in somewhat ''black and white'' terms—wrong-is-wrong and punished accordingly.

But quickly I learned, as a judge advocate and special assistant United States Attorney, that at certain times legal immunity is an unfortunate necessity to encourage cooperation and testimony against those more culpable of committing the underlying offense. Madam Speaker, I have never liked seeing people get away with only a slap on the wrist, but I have grown to understand it can be a necessary tool to insure that justice is served.

If the telecom companies are ultimately shielded from litigation by United State District Courts for their involvement with the current administration's illegal warrantless wiretapping program, they should be forthright and cooperate with congressional investigators pursuing those in the Bush administration who are truly to blame for the violation of our constitutional rights.

But more importantly, Madam Speaker, a principal reason for immunity in this instance is to keep civil lawsuits, or the fear of them, from establishing Federal policy on a matter of grave national concern—both because of the security interests and because of the civil liberty interests. This policy should be established and enforced through the actions of congress and the executive branch.

And just to be clear, Madam Speaker, nothing in this bill confers immunity on any government official for violating the law. In fact, this bill requires the inspectors general of four major national agencies to conduct a comprehensive review of the President's warrantless surveillance program and report back to the Intelligence and Judiciary Committees.

I promise the families in my district and across the country, that as long as I sit on the House Intelligence Committee, and as long as I serve in Congress, I will fight every day to demand answers and accountability from those who have held themselves above the law.

Madam Speaker, above all, I would like to note that the bill that passed this House was a much needed compromise. And as is the nature of any compromise, concessions were made and agreements reached in the effort to advance this piece of legislation. While it was not a perfect bill, nor is it the one I would have written, it is without question a significant improvement over prior flawed proposals.

Madam Speaker, I would like to take a second to read a quote:

''The art of compromise, which is essential to democracy, seems to have gone out of style in recent years of angry all-or-nothing politics . . . the result is often no legislation, and many issues are left to fade or fester.''

That quote, though eerily reminiscent of our modern political paralysis, was published in a Time Magazine editorial—on March 29, 1976. The editorial, however, continues on and heaps praise on Congress and the executive branch for their efforts in overcoming partisan gridlock to do what we seek to do—limit unwarranted wiretapping done under the auspices of national security.

It was a compromise crafted by Attorney General Edward Levi and a Democratic Congress. A compromise that Time noted "beats showy confrontation, veto and stalemate." I think most of us, Madam Speaker, can agree that this sentiment rings just as true today.

Let me be clear. I am no Attorney General Levi, nor do I portend to know how history will judge us or this legislation.

But I can promise that I sincerely believe that this bill—this compromise—threaded the needle and I am proud of our efforts.

Some of my friends on the left are not happy; some on the far right are not either. But we all take seriously, the incredible responsibility we are given. I hope and pray that history proves our fidelity to our Constitution, as well as our commitment to protecting the safety of those we serve.

HONORING THE 79TH ANNIVERSARY OF THE LEAGUE OF UNITED LATIN AMERICAN CITIZENS

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Ms. SOLIS. Madam Speaker, I rise today to honor the 79th anniversary of the founding of the League of United Latin American Citizens, LULAC. This is a tremendous milestone and one in which LULAC members should take great pride. Under the leadership of National President, Rosa Rosales, LULAC continues to be an influential force in Congress and throughout the country.

LULAC is the largest and oldest civil rights and service organization in the United States. Since 1929, LULAC has worked tirelessly to advance the economic condition, increase access to quality health care and education, and civil rights of Latinos across the country. LULAC's commitment to the advancement of Latinos is demonstrated through the community-based programs it operates at more than 700 local councils nationwide.

Education has always been a top priority for LULAC. In 1975, the LULAC National Scholarship Fund LNSF was established to provide scholarships to Latino students who attend colleges and universities. LULAC's education efforts will continue to benefit future generations of Latino youth. I am also proud that LULAC has made proactive efforts to increase Latino civic participation in the United States through its voter registration and citizenship drives. LULAC plays a pivotal role in ensuring that Latinos are part of the political process on the local, state, and federal level.

Madam Speaker, I hope my colleagues will join me in congratulating LULAC for all the hard work that it has done for the Latino community in the United States. LULAC is paving the way for generations after us to achieve even more. I look forward to continue working alongside LULAC to achieve social and economic justice for all Latinos.

HONORING THE CONTRIBUTIONS OF DR. WILLIAM CHARLES DEMENT, LOWELL W. AND JOSEPHINE BERRY PROFESSOR OF PSYCHIATRY AND BEHAVIORAL SCIENCES, STANFORD UNIVERSITY AND DIVISION CHIEF OF THE STANFORD UNIVERSITY DIVISION OF SLEEP

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2008

Mr. HONDA. Madam Speaker, I rise today in recognition of Dr. William C. Dement as he celebrates his 80th birthday and as his family, friends and colleagues gather to commemorate his lifelong efforts to improve the health and safety of this Nation by advancing understanding of sleep, sleep disorders and their impact on performance and functioning.

Dr. Dement received his M.D. and Ph.D. from the University of Chicago in 1955 and 1957. There, he helped discover and describe Rapid Eye Movement (REM) sleep, described the relationship between REM sleep and dreaming, established the all night sleep patterns of human beings, discovered REM sleep in animals and newborn babies, and demonstrated that the patterns of specific rapid eye movements are related to the visual experience of the dream. He transformed what was once thought of as a passive state that was undeserving of medical attention or curiosity into a medical specialty.

In 1963, Dr. Dement joined the Psychiatry Department at Stanford University, where for the past 45 years he has continued his studies on the neurochemistry of sleep and the functional significance of the different sleep states.

In 1970, Dr. Dement started the world's first Sleep Disorders Clinic which introduced all-night examination of patients with sleep-related complaints. He developed the Multiple Sleep Latency Test which remains the standard diagnostic measure of daytime sleepiness and made many other scientific contributions.

Among the most important of these are the elucidation of sleep debt and the long term consequences of sleep deprivation in all components of society. Dr. Dement is the author or co-author of approximately 500 scientific publications and the founding co-editor of the premier scientific journal, SLEEP.

Dr. Dement was co-founder of the Sleep Research Society in 1961 and founding President of the American Sleep Disorders Association (now the American Academy of Sleep Medicine) in 1975. Dr. Dement currently holds the position of honorary board member of the National Sleep Foundation, the Nation's leading non-profit organization dedicated to improving the understanding of sleep disorders.

Dr. Dement served as chairman of the congressionally-mandated National Commission on Sleep Disorders Research whose study and recommendations led directly to the creation of a new agency within the National Institutes of Health, the National Center on Sleep Disorders Research.

I am particularly grateful for Dr. Dement's work with patients. If it was not for Dr. Dement, my sleep apnea would probably still be undiagnosed and I would be like millions of other Americans who needlessly suffer due to a lack of public and professional awareness of the signs and symptoms of sleep disorders.

Therefore, on behalf of the Congress of the United States and the people of the 15th Congressional District of California, I am pleased to join with the family, friends and colleagues of Dr. William C. Dement in celebrating his 80th birthday. May he be blessed with many more.

COMMEMORATING THE 50TH ANNIVERSARY OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 2008

Ms. MCCOLLUM of Minnesota. Mr. Speaker, I rise today in strong support of H. Res. 1315, a resolution that commemorates the 50th Anniversary of the National Aeronautics and Space Administration, NASA.

NASA was established in 1958 and has become one of the premier research institutions in the United States. Through NASA, the United States has put humans on the moon, helped build the International Space Station, sent spacecraft to investigate Mars, and has built the Hubble Telescope to view more of the universe. NASA research has also been used to improve products that have changed our world—from airplanes to communications satellites.

Research and innovation is crucial to the United States' global competitiveness. Since its beginning, NASA has inspired many children to study math, science, engineering and technology. My district is home to Farnsworth Aerospace Elementary Magnet School of St. Paul, Minnesota, which is a NASA Explorer School. This initiative incorporates NASA content and programs into science, technology and mathematics curriculum in the classroom. When I have met with the teachers and students at Farnsworth, I have witnessed the enthusiasm and inquiry that the NASA curriculum generates. Through the Explorer School program, NASA helps to produce the scientists, engineers, researchers, explorers, innovators, and astronauts of the future.

I urge my colleagues to support this resolution.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S6511–S6582

Measures Introduced: Seventeen bills were introduced, as follows: S. 3237–3253. **Pages S6559–60**

Measures Reported:

S. 2606, to reauthorize the United States Fire Administration, with an amendment in the nature of a substitute. (S. Rept. No. 110–411)

S. 2291, to enhance citizen access to Government information and services by establishing plain language as the standard style of Government documents issued to the public. (S. Rept. No. 110–412)

S. 1499, to amend the Clean Air Act to reduce air pollution from marine vessels. (S. Rept. No. 110–413)

S. 2844, to amend the Federal Water Pollution Control Act to modify provisions relating to beach monitoring, with amendments. (S. Rept. No. 110–414)

S. 462, to approve the settlement of the water rights claims of the Shoshone-Paiute Tribes of the Duck Valley Indian Reservation in Nevada, to require the Secretary of the Interior to carry out the settlement, with an amendment in the nature of a substitute. (S. Rept. No. 110–415) **Page S6559**

Measures Considered:

Foreclosure Prevention Act: Senate continued consideration of the amendment of the House of Representatives to H.R. 3221, to provide needed housing reform. **Pages S6513, S6524–33, S6335–50**

Senator Reid motion to disagree to the amendments of the House of Representatives, adding a new title and inserting a new section to the amendment of the Senate to the bill. **Page S6520**

A unanimous-consent agreement was reached providing for further consideration of the amendment of the House of Representatives on Friday, July, 11, 2008, after all post-cloture time has expired on the motion to disagree and Senate vote on the motion to disagree to the amendments of the House of Representatives adding a new title and inserting a new section to the amendment of the Senate to the bill; provided further, that all time during any recess or adjournment of the Senate count against the post-cloture time under rule XXII. **Pages S6581–82**

During consideration of this measure today, Senate also took the following action:

By 84 yeas to 12 nays (Vote No. 170), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to disagree to the amendments of the House of Representatives, adding a new title and inserting a new section to the amendment of the Senate to the bill. **Pages S6520–21**

Reid motion to concur with Amendment No. 5067, to change the enactment date, in the amendment of the House adding a new title, fell when cloture was invoked on the motion to disagree to the amendments of the House of Representatives, adding a new title and inserting a new section in the amendment of the Senate to the bill. **Page S6513**

Reid Amendment No. 5068 (to Amendment No. 5067), of a perfecting nature, fell when Reid Amendment No. 5067 fell. **Page S6513**

Tom Lantos And Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act—Agreement: A unanimous-consent agreement was reached providing that on Friday, July 11, 2008, upon disposition of the motion to disagree to the amendments of the House adding a new title and inserting a new section to the amendment of the Senate to H.R. 3221, Foreclosure Prevention Act, Senate resume consideration of the motion to proceed to consideration of S. 2731, to authorize appropriations for fiscal years 2009 through 2013 to provide assistance to foreign countries to combat HIV/AIDS, tuberculosis, and malaria, and vote on the motion to invoke cloture thereon; that if cloture is invoked, then all post-cloture time be deemed expired, and on that Monday, July 14, 2008, following a period of morning business, the motion to proceed be agreed to, and the motion to reconsider be considered made and laid upon the table, and Senate then begin consideration of the bill; provided further, that if cloture is not invoked, then a motion to reconsider the vote by which cloture was not invoked be considered to have been entered. **Pages S6549–50**

Nominations Confirmed: Senate confirmed the following nominations:

By 95 yeas 2 nays (Vote No. EX. 171), Gen. David H. Petraeus U.S. Army

Pages S6513, S6521–24, S6533–35

By 96 yeas 1 nay (Vote No. EX. 172), Lt. Gen. Raymond T. Odierno U.S. Army

Pages S6513, S6521–24, S6533–35

Nominations Received: Senate received the following nominations:

Robert Hastings, of Maryland, to be an Assistant Secretary of Defense.

Clifford D. May, of Maryland, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2009.

Joyce Lee Malcolm, of Virginia, to be a Member of the National Council on the Humanities for a term expiring January 26, 2014.

Robert L. Paquette, of New York, to be a Member of the National Council on the Humanities for a term expiring January 26, 2014.

Ruth Y. Goldway, of California, to be a Commissioner of the Postal Regulatory Commission for the term expiring November 22, 2014.

Christine M. Arguello, of Colorado, to be United States District Judge for the District of Colorado.

Philip A. Brimmer, of Colorado, to be United States District Judge for the District of Colorado.

Gregory E. Goldberg, of Colorado, to be United States District Judge for the District of Colorado.

William Frederic Jung, of Florida, to be United States District Judge for the Middle District of Florida.

Mary Stenson Scriven, of Florida, to be United States District Judge for the Middle District of Florida.

5 Air Force nominations in the rank of general.

3 Army nominations in the rank of general.

5 Coast Guard nominations in the rank of admiral.

1 Navy nomination in the rank of admiral.

Routine lists in the Coast Guard. **Page S6582**

Nomination Withdrawn: Senate received notification of withdrawal of the following nomination:

Mark McKinnon, of Texas, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2009 (Recess Appointment), which was sent to the Senate on January 9, 2007. **Page S6582**

Messages from the House: **Page S6558**

Measures Referred: **Page S6559**

Measures Placed on the Calendar: **Page S6559**

Executive Communications: **Page S6559**

Additional Cosponsors: **Pages S6560–61**

Statements on Introduced Bills/Resolutions: **Pages S6561–81**

Additional Statements: **Pages S6555–58**

Notices of Hearings/Meetings: **Page S6581**

Authorities for Committees to Meet: **Page S6581**

Privileges of the Floor: **Page S6581**

Record Votes: Three record votes were taken today. (Total—172) **Pages S6521, S6534**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 11:35 p.m., until 3:30 p.m. on Friday, July 11, 2008. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6582.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Appropriations: Committee ordered favorably reported the following:

An original bill making appropriations for the Department of Transportation, Department of Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2009;

An original bill making appropriations for Energy and Water Development for the fiscal year ending September 30, 2009; and

An original bill making appropriations for Financial Services and General Government for the fiscal year ending September 30, 2009.

EPA OVERSIGHT

Committee on Environment and Public Works: Subcommittee on Clean Air and Nuclear Safety concluded an oversight hearing to examine the Environmental Protection Agency (EPA), focusing on implementing the renewable fuel standard, after receiving testimony from Robert J. Meyers, Principal Deputy Assistant Administrator, Office of Air and Radiation, Environmental Protection Agency; Steven G. Chalk, Deputy Assistant Secretary of Energy for Renewable Energy; John Pierce, E.I. DuPont de Nemours and Company, Inc., Wilmington, Delaware; Scott Faber, Grocery Manufacturers Association, Washington, D.C.; and Nathanael Greene, Natural Resources Defense Council, New York, New York.

TRANSPORTATION INFRASTRUCTURE

Committee on Finance: Committee concluded a hearing to examine issues and options for the transportation infrastructure, focusing on current surface transportation policies and programs, after receiving testimony from Peter R. Orszag, Director, Congressional Budget Office; and Jayetta Z. Hecker, Director,

Physical Infrastructure Issues, Government Accountability Office.

TREATIES

Committee on Foreign Relations: Committee concluded a hearing to examine Protocol Amending the Convention Between the United States of America and Canada with Respect to Taxes on Income and on Capital done at Washington on September 26, 1980, as Amended by the Protocols done on June 14, 1983, March 28, 1984, March 17, 1995, and July 29, 1997, signed on September 21, 2007, at Chelsea (the ''Proposed Protocol'') (Treaty Doc. 110–15), Convention Between the Government of the United States of America and the Government of Iceland for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, and accompanying Protocol, signed on October 23, 2007, at Washington, D.C. (Treaty Doc. 110–17), Convention Between the Government of the United States of America and the Government of the Republic of Bulgaria for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion With Respect to Taxes on Income, with accompanying Protocol, signed at Washington on February 23, 2007 (the ''Proposed Treaty''), as well as the Protocol Amending the Convention Between the Government of the United States of America and the Government of the Republic of Bulgaria for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion With Respect to Taxes on Income, signed at Sofia on February 26, 2008 (Treaty Doc. 110–18), International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001 (the ''Convention'') (Treaty Doc. 110–13), 1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (the ''London Convention''), done in London on November 7, 1996, the Protocol was signed by the United States on March 31, 1998, and entered into force on March 24, 2006 (Treaty Doc. 110–05), Protocol Concerning Pollution from Land-Based Sources and Activities (the ''Protocol'') to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region, with Annexes, done at Oranjestad, Aruba, on October 6, 1999, and signed by the United States on that same date (Treaty Doc. 110–01), Amendments to the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as Amended by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Marrakesh, 2002), Together with the Declarations and Reservations by the United States, all as contained in the Final Acts of the Plenipotentiary Conference (Antalya, 2006) (Treaty Doc. 110–16), Amendments to the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), together with the declarations and reservations by the United States, all as contained in the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002) (Treaty Doc. 109–11), 1995 Revision of the Radio Regulations, with appendices, signed by the United States at Geneva on November 17, 1995 (the ''1995 Revision''), together with declarations and reservations of the United States as contained in the Final Acts of the World Radiocommunication Conference (WRC–95) (Treaty Doc. 108–28), Amendments to the Constitution and Convention of the International Telecommunication Union (ITU) (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994), together with declarations and reservations by the United States as contained in the Final Acts of the Plenipotentiary Conference (Minneapolis, 1998) (Treaty Doc. 108–05), and 1992 Partial Revision of the Radio Regulations (Geneva, 1979), with appendices, signed by the United States at Malaga-Torremolinos on March 3, 1992 (the ''1992 Partial Revision''), together with declarations and reservations of the United States as contained in the Final Acts of the World Administrative Radio Conference for Dealing with Frequency Allocations in Certain Parts of the Spectrum (WARC–92) (Treaty Doc. 107–17), after receiving testimony from Emily S. McMahon, Deputy Chief of Staff, Joint Committee on Taxation, United States Congress; Michael F. Mundaca, Deputy Assistant Secretary of the Treasury for International Tax Affairs; and David A. Balton, Deputy Assistant Secretary for Oceans and Fisheries, Bureau of Oceans and International Environmental and Scientific Affairs, and Richard C. Beaird, Senior Deputy Coordinator for International Communications and Information Policy, Bureau of Economic and Business Affairs, both of the Department of State.

ISLAMIST EXTREMISM

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the roots of violent Islamist extremism and efforts to counter it, after receiving testimony from Michael Leiter, Director, National Counterterrorism Center; Maajid Nawaz, Quilliam Foundation, Essex, United Kingdom; Peter P. Mandaville, George Mason University Center for Global Studies, Fairfax, Virginia; and Zeyno Baran, Hudson Institute, and Fathali M. Moghaddam, Georgetown University Department of Government, both of Washington, D.C.

PASSPORT FILES PRIVACY

Committee on the Judiciary: Committee concluded a hearing to examine issues relative to passport files, focusing on privacy protection for all Americans, after receiving testimony from Harold W. Geisel, Acting Inspector General, and Mark W. Duda, Assistant Inspector General for Audits, both of the Office of Inspector General, Department of State; and Marc Rotenberg, Electronic Privacy Information Center, Ari Schwartz, Center for Democracy and Technology, and Alan Charles Raul, Sidley Austin LLP, all of Washington, D.C.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 29 public bills, H.R. 6452–6480; and 10 resolutions, H. Res. 1329–1338 were introduced. **Pages H6405–07**

Additional Cosponsors: **Pages H6407–08**

Reports Filed: Reports were filed today as follows:

H.R. 3999, to amend title 23, United States Code, to improve the safety of Federal-aid highway bridges, to strengthen bridge inspection standards and processes, and to increase investment in the reconstruction of structurally deficient bridges on the National Highway System (H. Rept. 110–750);

H.R. 2490, to require the Secretary of Homeland Security to conduct a pilot program for the mobile biometric identification in the maritime environment of aliens unlawfully attempting to enter the United States, with amendments (H. Rept. 110–751);

H.R. 6098, to amend the Homeland Security Act of 2002 to improve the financial assistance provided to State, local, and tribal governments for information sharing activities, with an amendment (H. Rept. 110–752);

H.R. 5464, to direct the Attorney General to make an annual grant to the A Child Is Missing Alert and Recovery Center to assist law enforcement agencies in the rapid recovery of missing children (H. Rept. 110–753);

Supplemental report on H.R. 5959, to authorize appropriations for fiscal year 2009 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System (H. Rept. 110–665, Pt. 2); and

H.R. 3036, to amend the Elementary and Secondary Education Act of 1965 regarding environmental education, with amendments (H. Rept. 110–754). **Page H6405**

Speaker: Read a letter from the Speaker wherein she appointed Representative Tauscher to act as Speaker pro tempore for today. **Page H6345**

Chaplain: The prayer was offered by the guest Chaplain, Major Matthew P. Franke, Chaplain, United States Air Force. **Page H6345**

Flood Insurance Reform and Modernization Act—Motion to go to Conference: The House disagreed to the amendment of the Senate to H.R. 3121, to restore the financial solvency of the national flood insurance program and to provide for such program to make available multiperil coverage for damage resulting from windstorms and floods, and agreed to a conference. **Pages H6355–63, H6377–78**

Agreed to the Neugebauer motion to instruct conferees on the bill by a yea-and-nay vote of 385 yeas to 26 nays, Roll No. 485. **Page H6377**

Later, the Chair appointed the following Members of the House to the conference committee on the bill: from the Committee on Financial Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Representatives Frank (MA), Kanjorski, Waters, Watt, Clay, Klein (FL), Mahoney (FL), Bachus, Biggert, Capito, Garrett (NJ), and Price (GA). **Page H6378**

From the Committee on Energy and Commerce, for consideration of sec. 302 of the Senate amendment, and modifications committed to conference: Representatives Dingell, Boucher, and Barton (TX). **Page H6378**

From the Committee on Transportation and Infrastructure, for consideration of secs. 7 and 22 of the House bill, and secs. 107, 119, and 301 of the Senate amendment, and modifications committed to conference: Representatives Eddie Bernice Johnson (TX), Braley (IA), and Graves. **Page H6378**

For consideration of secs. 7 and 35 of the House bill, and sec. 128 of the Senate amendment, and

modifications committed to conference: Representative Taylor. Page H6378

Washington-Rochambeau Revolutionary Route National Historic Trail Designation Act: The House passed H.R. 1286, to amend the National Trails System Act to designate the Washington-Rochambeau Revolutionary Route National Historic Trail, by a recorded vote of 345 ayes to 69 noes, Roll No. 484. Pages H6349–55, H6363–77

A point of order was sustained against the first Fallin motion to recommit the bill to the Committee on Natural Resources with instructions to report the same back to the House promptly with an amendment. Pages H6374–75

Rejected the second Fallin motion to recommit the bill to the Committee on Natural Resources with instructions to report the same back to the House promptly with an amendment, by a yea-and-nay vote of 202 yeas to 211 nays, Roll No. 483. Pages H6375–76

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill, modified by the amendment printed in part A of H. Rept. 110–744, shall be considered an original bill for the purpose of amendment under the five-minute rule. Page H6371

Accepted:

Bishop (UT) amendment (No. 1 printed in part B of H. Rept. 110–744) that amends the language in the bill prohibiting the use of eminent domain by the Federal government to specifically prohibit the Federal government from acquiring, for the trail, from State or local governments, land acquired by a State or local government through its own use of eminent domain and Pages H6371–72

Pearce amendment (No. 2 printed in part B of H. Rept. 110–744) that requires the Secretary to complete and submit to Congress a report on the energy resources included in the Washington-Rochambeau Revolutionary Route National Historic Trail (by a recorded vote of 424 ayes with none voting ''no'', Roll No. 482). Pages H6372–73

Agreed that the Clerk be authorized to make technical and conforming changes to reflect the actions of the House. Page H6378

H. Res. 1317, the rule providing for consideration of the bill, was agreed to by a yea-and-nay vote of 224 yeas to 182 nays, Roll No. 481, after agreeing to order the previous question by a yea-and-nay vote of 226 yeas to 185 nays, Roll No. 480. Pages H6363–64

Order of Procedure: The House agreed by unanimous consent that the motions to suspend the rules relating to the following measures be considered as adopted in the form considered by the House on Wednesday, July 9th:

Celebrating the 25th anniversary of the first American woman in space, Dr. Sally K. Ride, and honoring her contributions to the space program and to science education: H. Res. 1313, to celebrate the 25th anniversary of the first American woman in space, Dr. Sally K. Ride, and to honor her contributions to the space program and to science education and

Commemorating the 50th Anniversary of the National Aeronautics and Space Administration: H. Res. 1315, to commemorate the 50th Anniversary of the National Aeronautics and Space Administration.

Providing for certain Federal employee benefits to be continued for certain employees of the Senate Restaurants after operations of the Senate Restaurants are contracted to be performed by a private business concern: The House passed by unanimous consent S. 2967, to provide for certain Federal employee benefits to be continued for certain employees of the Senate Restaurants after operations of the Senate Restaurants are contracted to be performed by a private business concern—clearing the measure for the President. Pages H6378–80

Honoring the life of Jesse Alexander Helms, Jr., distinguished former Senator from North Carolina: The House agreed to discharge from committee and agree to H. Res. 1325, to honor the life of Jesse Alexander Helms, Jr., distinguished former Senator from North Carolina. Page H6380

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, July 14th for morning hour debate. Pages H6383, H6403

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, July 16th. Page H6384

Privileged Resolution—Intent to Offer: Representative Kucinich announced his intent to offer a privileged resolution. Pages H6384–86

Supplemental Report: Agreed that the Permanent Select Committee on Intelligence be permitted to file a supplemental report on H.R. 5959, to authorize appropriations for fiscal year 2009 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System. Page H6387

Quorum Calls—Votes: Four yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H6363–64, H6364,

H6373, H6376, H6376–77 and H6377. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:52 p.m.

Committee Meetings

COMMODITY EXCHANGE ACT AMENDMENTS

Committee on Agriculture: Continued hearings to review legislation amending the Commodity Exchange Act. Testimony was heard from public witnesses.

Hearings continue tomorrow.

CFTC

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on the CFTC. Testimony was heard from Walter L. Lukken, Acting Chairman, CFTC; and public witnesses.

ELECTROMAGNETIC PULSE ATTACK THREAT

Committee on Armed Services: Held a hearing on threat posed by Electromagnetic Pulse Attack. Testimony was heard from William R. Graham, Chair, Commission to Assess the Threat to the United States from Electromagnetic Pulse Attack.

AIR FORCE AERIAL REFUELING TANKER REPLACEMENT

Committee on Armed Services: Subcommittee on Air and Land Forces held a hearing on the source selection and path forward regarding the Air Force KC–(X) Program. Testimony was heard from the following officials of the GAO: Daniel Gordon, Deputy General Counsel; and Michael Golden, Managing Associate General Counsel, Procurement Law Division; and John J. Young, Jr., Under Secretary, Acquisition, Technology and Logistics, Department of Defense.

PRISONER OF WAR/MISSING PERSONNEL ACTIVITIES

Committee on Armed Services: Subcommittee on Military Personnel held an oversight and status hearing of POW–MIA activities. Testimony was heard from .the following officials of the Department of Defense: RADM Donna L. Crisp, USN, Commander, Joint POW/MIA Accounting Command; and Charles A. Ray, Deputy Assistant Secretary, POW/Missing Personnel Affairs.

CARBON CAPTURE AND STORAGE EARLY DEPLOYMENT ACT

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality held a hearing on H.R. 6258, Carbon Capture and Storage Early Deployment Act. Testimony was heard from James Y. Kerr II, Commissioner, Utilities Commission, State of North Carolina; and public witnesses.

FINANCIAL MARKETS

Committee on Financial Services: Held a hearing entitled "Systemic Risk and the Financial Markets." Testimony was heard from Henry M. Paulson, Jr., Secretary of the Treasury; and Ben S. Bernanke, Chairman, Board of Governors, Federal Reserve System.

JUSTICE DEPARTMENT POLITICIZATION

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on the Politicization of the Justice Department and Allegations of Selective Prosecution. Karl Rove, former White House Deputy Chief of Staff, refused to appear to answer questions in accordance with his obligations under the subpoena served on him on May 22, 2008, based on claims of Executive Privilege.

The Chair ruled that those claims are not legally valid and that Mr. Rove is required pursuant to the subpoena to be present at this hearing and to answer questions or to assert privilege with respect to specific questions.

IMMIGRATION AND NATIONALITY ACT AMENDMENTS; PRIVATE RELIEF MEASURES

Committee on the Judiciary: Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law approved for full Committee action H.R. 6034, To amend the Immigration and Nationality Act to provide for relief to surviving spouses and children.

The Subcommittee also approved private relief measures.

GLOBAL BIRD POPULATION DECLINE

Committee on Natural Resources: Subcommittee on Fisheries, Wildlife and Oceans held an oversight hearing entitled "Going, Going, Gone? An Assessment of the Global Decline in Bird Populations." Testimony was heard from Paul R. Schmidt, Assistant Director, Migratory Birds and State Programs, U.S. Fish and Wildlife Service, Department of the Interior; David Erickson, Assistant Director, Department of Conservation, State of Missouri; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Subcommittee on National Parks, Forests and Public Lands held a hearing on the following bills: H.R. 160, Revolutionary War and War of 1812 Battlefield Protection Act; H.R. 1847, National Trails System Willing Seller Act; H.R. 2933, Civil War Battlefield Preservation Act of

2007; H.R. 3299, To provide for a boundary adjustment and land conveyance involving Roosevelt National Forest, Colorado, to correct the effects of an erroneous land survey that resulted in approximately 7 acres of the Crystal Lakes Subdivision, Ninth Filing, encroaching on National Forest System land; H.R. 3336, Camp Hale Historic District Study Act; H.R. 3849, Box Elder Utah Land Conveyance Act; H.R. 5263, Forest Landscape Restoration Act; H.R. 5751, Walnut Canyon Study Act of 2008; and H.R. 6177, Rio Grande Wild and Scenic River Extension Act of 2008. Testimony was heard from Representatives Pastor, Rodriguez, Gary G. Miller of California, and Musgrave; Sally Collins, Associate Chief, Forest Service, USDA; Stephen E. Whitesell, Associate Director, Park Planing, Facilities, and Lands, National Park Service, Department of the Interior; former Representative J. Alex McMillan III, of North Carolina; and public witnesses.

THRIFT SAVINGS PLAN/MINORITY OPPORTUNITIES

Committee on Oversight and Government Reform: Subcommittee on Federal Workforce, Postal Service, and the District of Columbia held a hearing on Investing in the Future: Minority Opportunities and the TSP. Testimony was heard from Gregory T. Long, Executive Director, Federal Retirement Thrift Investment Board; and public witnesses.

REDUCING CENSUS 2010 UNDERCOUNT

Committee on Oversight and Government Reform: Subcommittee on Information Policy, Census, and National Archives held a hearing on 2010 Census: Using the Communication Campaign to Effectively Reduce the Undercount. Testimony was heard from Stephen H. Murdock, Director, Bureau of the Census, Department of Commerce; and public witnesses.

COASTLINES' HARMFUL ALGAL BLOOMS

Committee on Science and Technology: Subcommittee on Energy and Environment held a hearing on Harmful Algal Blooms: The Challenges on the Nation's Coastlines. Testimony was heard from Robert Magnien, Director, Center for Sponsored Coastal Ocean Research, NOAA, Department of Commerce; Dan Ayres, Coastal Shellfish Manager and Lead Biologist, Department of Fish and Wildlife Region Six Office, State of Washington; and public witnesses.

GREEN TECHNOLOGIES SPURRING ECONOMIC GROWTH

Committee on Small Business: Held a hearing on the Role of Green Technologies in Spurring Economic Growth. Testimony was heard from public witnesses.

VETERAN INDEPENDENT LIVING

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held a hearing on Independent Living. Testimony was heard from Ruth Fanning, Director, Vocational Rehabilitation and Employment Service, Veterans Benefits Administration, Department of Veterans Affairs; representatives of veterans organizations; and public witnesses.

VETERANS HEALTH MEASURES

Committee on Veterans Affairs: Subcommittee on Health approved for full Committee action the following bills: H.R. 1527, amended, Rural Veterans Access to Care Act; H.R. 6114, Simplifying and Updating National Standards to Encourage Testing of the Human Immunodeficiency Virus of 2008; H.R. 6122, Veterans Pain Care Act of 2008; H.R. 6366, Veterans Revenue Enhancement Act of 2008; H.R. 6439, Mental Health for Heroes' Families Act of 2008; and H.R. 6445, To amend title 38, United States Code, to prohibit the Secretary of Veterans Affairs from collecting certain copayments from veterans who are catastrophically disabled.

BRIEFING—IC HUMINT

Permanent Select Committee on Intelligence: Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence met in executive session to receive a briefing on IC HUMINT. The Subcommittee was briefed by departmental witnesses.

EXTREME WEATHER—GLOBAL WARMING EFFECTS

Select Committee on Energy Independence and Global Warming: Held a hearing entitled "Global Warming Effects on Extreme Weather." Testimony was heard from Angela Licata, Deputy Commissioner, Bureau of Environmental Planning and Analysis, New York City; and public witnesses.

Joint Meetings

RETIREMENT SECURITY

Joint Economic Committee: Committee concluded a hearing to examine public pension plans, focusing on the need to strengthen retirement security and economic growth, after receiving testimony from Barbara D. Bovbjerg, Director, Education, Workforce, and Income Security, Government Accountability Office; William Pryor, Los Angeles County Employees Retirement Association Board of Investments, Pasadena, California, on behalf of the National Conference on Public Employee Retirement Systems; Sherrill Neff, Quaker BioVentures, Philadelphia, Pennsylvania; and Christian E. Weller, University of Massachusetts Boston, on behalf of the Center for American Progress.

COMMITTEE MEETINGS FOR FRIDAY, JULY 11, 2008

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Agriculture, to continue hearings to review legislation amending the Commodity Exchange Act, 10 a.m., 1300 Longworth.

Committee on Transportation and Infrastructure, Subcommittee on Economic Development, Public Buildings, and Emergency Management, hearing on GSA's Capital Investment Program: Fiscal Year 2009, 10 a.m., 2167 Rayburn.

Next Meeting of the **SENATE**

3:30 p.m., Friday, July 11

Senate Chamber

Program for Friday: Senate will continue consideration of H.R. 3221, Foreclosure Prevention Act, and vote on the motion to disagree to the amendment of the House adding a new title and inserting a new section to the amendment of the Senate to the bill at approximately 5:20 p.m.; following which, Senate will continue consideration of the motion to proceed to consideration of S. 2731, Tom Lantos And Henry J. Hyde United States Global Leadership Against HIV/Aids, Tuberculosis, And Malaria Reauthorization Act, and vote on the motion to invoke cloture.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

12:30 p.m., Monday, July 14

House Chamber

Program for Monday: To be announced.

Extensions of Remarks, as inserted in this issue

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