

the three-Commissioner setup we have today and we move it to five Commissioners. We return it back to the way the Commission was originally designed. We feel as though this will be a very positive development.

As part of this issue as well—in a little different section of the bill but nonetheless related—I believe and the cosponsors believe we need to reauthorize this Commission for 7 years. Part of that is because we need to help retool and rebuild this Commission over a several-year period.

One of the things we make very clear in the legislation is we don't try to fix everything on day one. There is a lot that needs to be fixed, a lot that needs to be addressed, but as a practical matter, realistically, we can't fix everything in 1 day. Rome wasn't built in a day, and you can't rebuild the CPSC in one fiscal year. What we are trying to do is phase this in over time and make sure we do it the right way, make sure we do it the smart way. That is why I believe that a 7-year reauthorization makes good sense under the circumstances.

The last point I wish to make this afternoon, or at least right now, is that we have a provision in this bill that I think will really benefit families in a very practical way; that is, we have a provision in this legislation to put identifying marks on products.

We have all been in the situation where big brother gets a G.I. Joe or whatever it may be and passes it down to little brother, or your daughter gets a set of dolls from a neighbor whose kids don't play with those dolls anymore, or whatever the case may be, and we never even saw the original packaging on a lot of that stuff. We don't know when it was made. We don't know how old it is. We don't know anything about it. All of a sudden, we read something in the paper or see something on television about a recall. Right now, we don't have any way of knowing whether it is this particular toy that has been recalled.

So what we are trying to do is set up a regime here where—and by the way, we worked with the manufacturers on this to make sure this is a practical, sensible solution, and we think it is—but to actually stamp the products with different identifying numbers, maybe batch numbers, lot numbers, whatever—not to get into all the technical aspects of it—so that when there is a recall, when there is a problem, or there is some sort of hazard that has been identified, families can look at their product, look at their toys, and know if that is a product that is subject to recall.

So we are trying to be very practical in how we approach this. We are trying to beef up the number of Commissioners. We are trying to make this a 7-year reauthorization, but we are also trying to do things that help families make the determination to keep their families safe, and this is something which I think has been lacking in the

current system. Hopefully we will be able to measure in the number of injuries and in the number of deaths and even the number of recalls that happen and the amount of litigation—we hope all of that will go down when it comes to consumer product safety. Hopefully, we will be able to look back and see this as a good piece of legislation.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina is recognized.

AMENDMENTS NOS. 4095 AND 4096, EN BLOC

Mr. DEMINT. Mr. President, I ask unanimous consent to set aside the pending amendment and call up two amendments I have at the desk. They are amendments Nos. 4095 and 4096.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. PRYOR. Mr. President, reserving the right to object, I am sorry, what were the two amendments?

Mr. DEMINT. If I can respond to the chairman, two amendments—one is the House bill, which is 4095, and the other relates to the whistleblower provision, which is 4096.

Mr. PRYOR. I am sorry. Was the request just to talk about those?

Mr. DEMINT. No. They are at the desk. I wanted to call them up and speak about them later.

Mr. PRYOR. Call them up and then go back to the pending amendment?

Mr. DEMINT. Yes.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] proposes amendments numbered 4095 and 4096.

Mr. DEMINT. Mr. President, I ask unanimous consent that the reading of the amendments be dispensed with.

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

(The amendment (No. 4095) is printed in today's RECORD under "Text of Amendments.")

The amendment (No. 4096) is as follows:

(Purpose: To strike section 21, relating to whistleblower protections)

Beginning on page 58, strike line 11 and all that follows through page 66, line 9.

Mr. DEMINT. Mr. President, I yield the floor.

AMENDMENT NO. 4094

Mr. PRYOR. Mr. President, I ask to return to the regular order.

The ACTING PRESIDENT pro tempore. The amendment is pending.

Mr. PRYOR. Mr. President, I think we have some colleagues who may be on their way to the floor shortly. I would encourage our Senate colleagues to come to the floor and offer amendments if they have amendments or offer constructive suggestions if they have those or even if they just want to come down and speak. We would really

like to get this legislation wrapped up this week. So far, the cooperation has been excellent on both sides.

Again, I wish to commend Senator DEMINT and Senator CORNYN for coming down and offering and addressing amendments that are germane. One of the concerns I had is that we might see the floodgates open up on this legislation and come in with all kinds of non-germane amendments. So I thank colleagues on both sides of the aisle for keeping the amendments germane and on point.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

#### RECESS

Mr. PRYOR. Mr. President, I ask unanimous consent that the Senate stand in recess until 2:15.

There being no objection, the Senate, at 12:28 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CARPER).

#### THE CONSUMER PRODUCT SAFETY COMMISSION REFORM ACT—Continued

The PRESIDING OFFICER. Who seeks recognition? The Senator from North Dakota.

Mr. DORGAN. Mr. President, I have an amendment I wish to offer. I will not do it at this point because in order to offer the amendment, I have to ask unanimous consent that the current amendment be set aside. I will describe at least what I am intending to offer. I am going to speak for a couple of minutes because there will be time later to consider this amendment.

This amendment does not deal directly with the underlying legislation. It certainly deals with consumers and this bill deals with consumers. I first applaud my colleague from Arkansas for the work he has done on the bill. I have a couple of amendments to the bill that I will offer as we move along. But this amendment that I wish to offer deals with something else that is urgent and important, and either I get it done on this bill or the next authorization bill that comes along.

The price of oil is somewhere around \$103 a barrel at this point. It is bouncing around up in that stratosphere, and the price of gasoline, depending on where one lives, is \$3, \$3.25, \$3.50, some analysts say going to \$4 a gallon. Even as the price of oil has ratcheted way up, this Government of ours and the Department of Energy is taking oil from the Gulf of Mexico by awarding royalty-in-kind contracts to companies