

Inouye colloquy, quoted above, although it was, in fact, presented for inclusion in the RECORD at a later point in the day, as noted by Senator INOUE in the second sentence of the Inouye-Feinstein colloquy. Their colloquy reads as follows:

AGENCY MANAGEMENT

Mr. INOUE. Mr. President, I have worked for many months with the Senior Senator from California and the original sponsor of this legislation, Mrs. Feinstein, to draft a sound policy to increase fuel economy standards in our country. I stated earlier today that "all Federal regulations in this area be consistent." I wholly agree with that notion, in that these agencies have two different missions. The Department of Transportation has the responsibility for regulating fuel economy, and should enforce the Ten-in-Ten Fuel Economy Act fully and vigorously to save oil in the automobile fleet. The Environmental Protection Agency has the responsibility to protect public health. These two missions can and should co-exist without one undermining the other. There are numerous examples in the executive branch where two or more agencies share responsibility over a particular issue. The Federal Trade Commission and the Federal Communications Commission both oversee telemarketing practices and the Do-Not-Call list.

The FTC also shares jurisdiction over anti-trust enforcement with the Department of Justice. Under the current CAFE system, the Department of Transportation and the Environmental Protection Agency work together. DOT enforces the CAFE standards, and the EPA tests vehicles for compliance and fuel economy labels on cars. The President himself foresaw these agencies working together and issued an Executive Order on May 14, 2007, to coordinate the agencies on reducing automotive greenhouse gas emissions. The DOT and the EPA have separate missions that should be executed fully and responsibly. I believe it is important that we ensure that the agencies are properly managed by the executive branch, as has been done with several agencies with shared jurisdiction for decades. I plan on holding hearings next session to examine this issue fully.

Mrs. FEINSTEIN. I would like to thank the chairman of the Commerce Committee, and I would like to clarify what I believe to be the intent of the legislation I sponsored to increase fuel economy standards in the United States.

The legislation increasing the fuel economy standards of vehicles by 10 miles per gallon over 10 years does not impact the authority to regulate tailpipe emissions of the EPA, California, or other States, under the Clean Air Act.

The intent was to give NHTSA the ability to regulate fuel efficiency standards of vehicles, and increase the fleetwide average to at least 35 miles per gallon by 2020.

There was no intent in any way, shape, or form to negatively affect, or otherwise restrain, California or any other State's existing or future tailpipe emissions laws, or any future EPA authority on tailpipe emissions.

The two issues are separate and distinct.

As the Supreme Court correctly observed in *Massachusetts v. EPA*, the fact "that DOT sets mileage standards in no way licenses EPA to shirk its environmental responsibilities. EPA has been charged with protecting the public's health and welfare, a statutory obligation wholly independent of DOT's mandate to promote energy efficiency. The two obligations may overlap, but there is no reason to think the two agencies cannot both administer their obligations and yet avoid inconsistency."

I agree with the Supreme Court's view of consistency. There is no reason to think the two agencies cannot both administer their obligations and yet avoid inconsistency.

The U.S. District Court for the Eastern District of California in *Central Valley Chrysler-Jeep v. Goldstone* has reiterated this point in finding that if approved by EPA, California's standards are not preempted by the Energy Policy Conservation Act.

Title I of the Energy Security and Independence Act of 2007, H.R. 6, provides clear direction to the Department of Transportation, in consultation with the Department of Energy and the Environmental Protection Agency, to raise fuel economy standards.

By taking this action, Congress is continuing DOT's existing authority to set vehicle fuel economy standards. Importantly, the separate authority and responsibility of the U.S. Environmental Protection Agency to regulate vehicle greenhouse gas emissions under the Clean Air Act is in no manner affected by this legislation as plainly provided for in section 3 of the bill addressing the relationship of H.R. 6 to other laws.

I fought for section 3. I have resisted all efforts to add legislative language requiring "harmonization" of these EPA and NHTSA standards. This language could have required that EPA standards adopted under section 202 of the Clean Air Act reduce only the air pollution emissions that would already result from NHTSA fuel economy standards, effectively making the NHTSA fuel economy standards a national ceiling for the reduction of pollution. Our legislation does not establish a NHTSA ceiling. It does not mention the Clean Air Act, so we certainly do not intend to strip EPA of its wholly separate mandate to protect the public health and welfare from air pollution.

To be clear, Federal standards can avoid inconsistency according to the Supreme Court, while still fulfilling their separate mandates.

NATIONAL SPORTSMANSHIP DAY

Mr. REED. Mr. President, today marks the 18th annual National Sportsmanship Day. This initiative, the largest of its kind in the world, is a program of the Institute for International Sport based at the University of Rhode Island. Since 1991, the program has promoted the highest ideals of sportsmanship and fair play among not only the young people of Rhode Island but also among youth in every other State and, indeed, around the world. This year alone over 7 million children in more than 14,000 schools throughout the United States and countries as diverse as Ghana, Nigeria, India, Australia, and Bermuda, will celebrate National Sportsmanship Day.

Our appreciation of sports is deep-rooted. The ancient Greeks, for example, recognized "a sound mind in a sound body" as the foundation of a good education. But a complete individual not only develops the mind and body, he or she also develops and exhibits its fairness and honesty, key elements of sportsmanship.

This year, Jackie Joyner-Kersey, the famed Olympic Gold medalist, serves as chair of the National Sportsmanship Day program. She and the program's founder, Dan Doyle, remain committed to the goal of making sports a more

positive force in society. They hope to achieve their objective by focusing this year on improving parental involvement in athletics, encouraging parents to be good sports on the sidelines so they can be good models of ethical behavior for their children.

I am proud that Rhode Island is the home base of this program, and I hope it enjoys continued success.

TRIBUTE TO JOHNNIE CARR

Mr. SESSIONS. Mr. President, it is with sadness that today I note the loss of a great American and a hero of the civil rights movement, Mrs. Johnnie Carr.

Mrs. Carr passed away in Montgomery on February 22, 2008, at the age of 97, but her lifelong struggle for equality in America will be an inspiration for many years to come.

I had the great privilege to know Mrs. Carr personally. I was always struck by her deep faith and commitment to improving our State. She was an independent thinker, and her remarkable strength served her well as a leader.

Mrs. Carr lived all her life in Montgomery, where she was a foot soldier in the fight for equality. She was a founding member of the Montgomery Improvement Association, an organization that proved instrumental in the important civil rights events in Alabama during the 1950s and 1960s.

Carr was the schoolmate, friend, and partner of Rosa Parks, who was the recipient of the Congressional Gold Medal and who was honored, 2 years ago, by having her body lie in honor in the Rotunda of the U.S. Capitol.

Fred Gray, lawyer for Dr. Martin Luther King, Jr., and author of "Bus Ride to Justice," a valuable history of the civil rights movement in Alabama, points out that Johnnie Carr was one of the organizers of the bus protest. Gray eloquently notes that her boycott "Set in motion the modern civil rights movement and gave birth to a world leader, Dr. Martin Luther King, Jr., a future Nobel Peace Prize Laureate." That protest succeeded as a result of unified African-American community leaders like Johnnie Carr.

Later, in 1964, Carr became the lead plaintiff in the historic school desegregation case, *Carr v. the Montgomery Board of Education*, a victory for color-blind public education and one of many important cases heard by U.S. District Judge Frank M. Johnson. Indeed, this case was the first time that the U.S. Supreme Court approved "quotas, goals, and time-tables" as corrections for past discrimination, Gray writes.

She committed her entire life to equality and her faith, which provided her the courage to make a difference.

It is fitting that Mrs. Carr followed Dr. King as president of the Montgomery Improvement Association. For more than four decades she led campaigns to promote voter registration and integrate public facilities.

Always a strong leader, Mrs. Carr promoted cooperation and consensus during a difficult period in our Nation's history. She reached across racial lines to promote positive change for Alabama, serving as both an active member of Hall Street Baptist Church and as a missionary for the Montgomery Antioch District.

Many individuals and organizations have recognized Mrs. Carr's long history of leadership and advocacy. It is a privilege to lend my voice to the choir of those who have honored the spirit and dedication of this American hero. She left a lasting legacy in this country that will not soon be forgotten.

**REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY AND SANCTIONS WITH RESPECT TO THOSE PERSONS WHOSE ACTIONS UNDERMINE THE DEMOCRATIC PROCESSES OR INSTITUTIONS OF ZIMBABWE—PM 40**

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

*To the Congress of the United States:*

The crisis constituted by the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions has not been resolved. These actions and policies pose a continuing unusual and extraordinary threat to the foreign policy of the United States. For these reasons, I have determined that it is necessary to continue this national emergency and to maintain in force the sanctions to respond to this threat.

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication, stating that the national emergency with respect to the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions is to continue in effect beyond March 6, 2008.

GEORGE W. BUSH.  
THE WHITE HOUSE, March 4, 2008.

**ENROLLED BILLS PRESENTED**

The Secretary of the Senate reported that on today, March 4, 2008, she had presented to the President of the United States the following enrolled bills:

S. 2272. A bill to designate the facility of the United States Postal Service known as

the Southpark Station in Alexandria, Louisiana, as the John "Marty" Thiels Southpark Station, in honor and memory of Thiels, a Louisiana postal worker who was killed in the line of duty on October 4, 2007.

S. 2478. A bill to designate the facility of the United States Postal Service located at 59 Colby Corner in East Hampstead, New Hampshire, as the "Captain Jonathan D. Grassbaugh Post Office".

**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. INOUE (for himself and Mr. STEVENS):

S. 2688. A bill to improve the protections afforded under Federal law to consumers from contaminated seafood by directing the Secretary of Commerce to establish a program, in coordination with other appropriate Federal agencies, to strengthen activities for ensuring that seafood sold or offered for sale to the public in or affecting interstate commerce is fit for human consumption; to the Committee on Commerce, Science, and Transportation.

By Mr. SMITH (for himself, Mr. BAYH, and Mr. NELSON of Florida):

S. 2689. A bill to amend section 411h of title 37, United States Code, to provide travel and transportation allowances for family members of members of the uniformed services with serious inpatient psychiatric conditions; to the Committee on Armed Services.

By Mr. BROWNBACK:

S. 2690. A bill to authorize the placement in Arlington National Cemetery of an American Braille tactile flag in Arlington National Cemetery honoring blind members of the Armed Forces, veterans, and other Americans; to the Committee on Veterans' Affairs.

By Mr. BOND:

S. 2691. A bill to amend the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994 to provide enhanced agricultural input into Federal rulemakings, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 2692. A bill to authorize to be appropriated to the Department of the Air Force for fiscal year 2009 \$4,600,000 for the construction of an Aerospace Ground Equipment Facility at Holloman Air Force Base, New Mexico; to the Committee on Armed Services.

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 2693. A bill to authorize to be appropriated to the Department of the Air Force for fiscal year 2009 \$3,150,000 for additions and alterations to a Flight Simulator Facility at Holloman Air Force Base, New Mexico; to the Committee on Armed Services.

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 2694. A bill to authorize to be appropriated to the Defense Logistics Agency for fiscal year 2009 \$14,400,000 to replace fuel storage tanks at Kirtland Air Force Base, New Mexico; to the Committee on Armed Services.

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 2695. A bill to authorize to be appropriated to the Department of the Air Force for fiscal year 2009 \$1,050,000 for additions and alterations to Aircraft Maintenance Units at Holloman Air Force Base, New Mexico; to the Committee on Armed Services.

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 2696. A bill to authorize to be appropriated to the Department of the Air Force for fiscal year 2009 \$14,500,000 for the alteration of a hangar at Holloman Air Force Base, New Mexico, for the construction of a Low Observable Composite Repair Facility; to the Committee on Armed Services.

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 2697. A bill to authorize to be appropriated to the Special Operations Command for fiscal year 2009 \$18,100,000 for the construction of a Special Operations Force Maintenance Hangar at Cannon Air Force Base, New Mexico; to the Committee on Armed Services.

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 2698. A bill to authorize to be appropriated to the Department of the Air Force for fiscal year 2009 \$2,150,000 for additions and alterations to a Jet Engine Maintenance Shop at Holloman Air Force Base, New Mexico; to the Committee on Armed Services.

By Mr. LAUTENBERG (for himself and Mrs. BOXER):

S. 2699. A bill to require new vessels for carrying oil fuel to have double hulls, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LAUTENBERG:

S. 2700. A bill to amend the Oil Pollution Act of 1990 to double liability limits for single-hull tankers and tank barges for 2009, and for other purposes; to the Committee on Environment and Public Works.

By Mr. NELSON of Nebraska:

S. 2701. A bill to direct the Secretary of Veterans Affairs to establish a national cemetery in the eastern Nebraska region to serve veterans in the eastern Nebraska and western Iowa regions; to the Committee on Veterans' Affairs.

By Mr. SALAZAR (for himself and Ms. SNOWE):

S. 2702. A bill to amend title XVIII of the Social Security Act to improve access to, and increase utilization of, bone mass measurement benefits under the Medicare part B Program; to the Committee on Finance.

**SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS**

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

By Mr. SPECTER:

S. Res. 469. A resolution providing for a protocol for nonpartisan confirmation of judicial nominees; to the Committee on Rules and Administration.

By Mr. FEINGOLD (for himself, Mr. LUGAR, Mr. LEVIN, and Mr. HAGEL):

S. Res. 470. A resolution calling on the relevant governments, multilateral bodies, and non-state actors in Chad, the Central African Republic, and Sudan to devote ample political commitment and material resources towards the achievement and implementation of a negotiated resolution to the national and regional conflicts in Chad, the Central African Republic, and Darfur, Sudan; to the Committee on Foreign Relations.

By Mr. ISAKSON (for himself, Mrs. MURRAY, and Ms. KLOBUCHAR):

S. Res. 471. A resolution designating March 1, 2008, as "National Glanzmann's Thrombasthenia Awareness Day"; considered and agreed to.

By Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. STEVENS, Mr. VOINOVICH, Mr. CARPER, Mr. COLEMAN, Mr. DOMENICI, Mr. WARNER, and Mr. SUNUNU):